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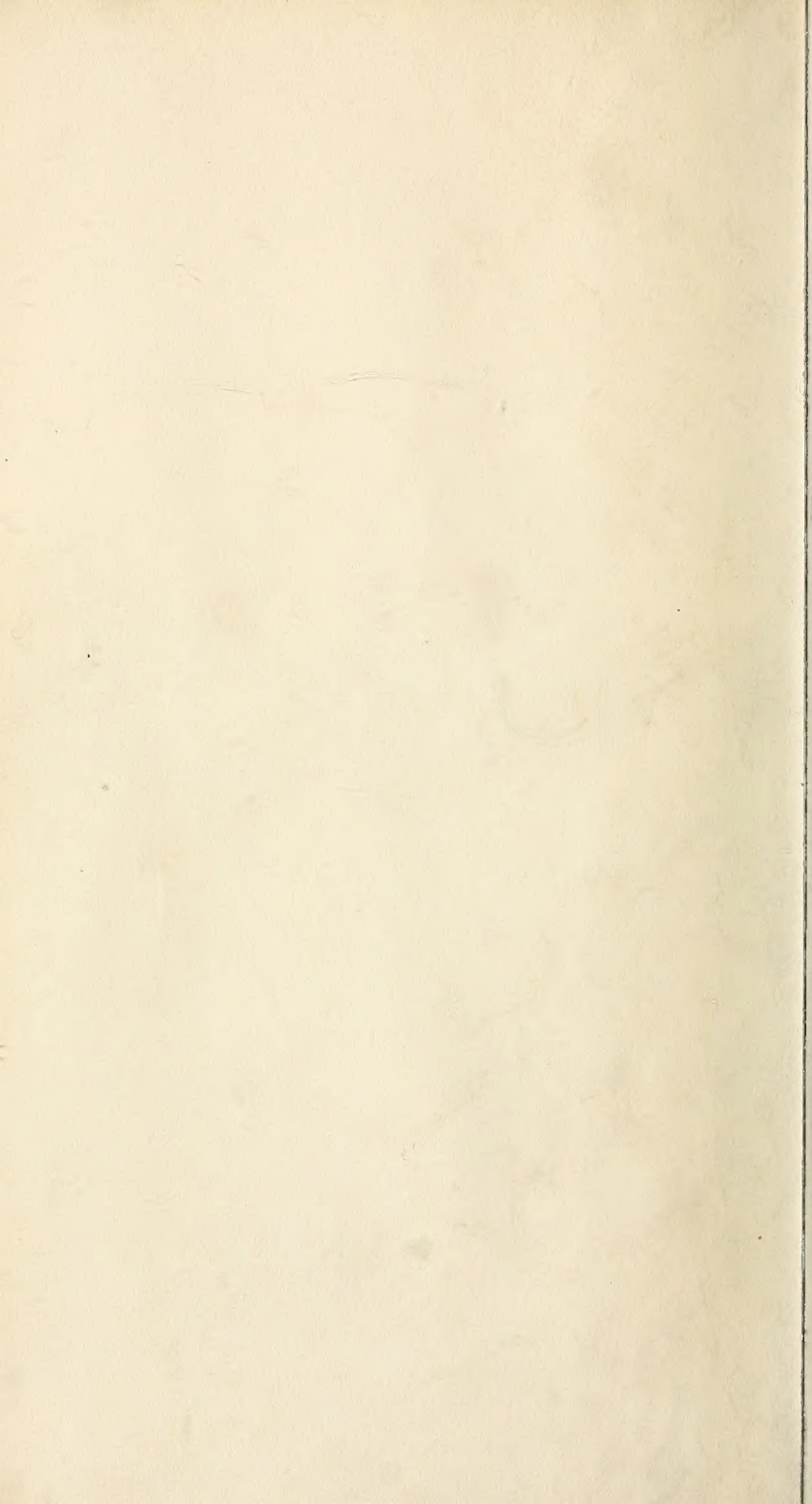
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JOURNALS

OF THE

SENATE AND HOUSE OF COMMONS,

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA.



RALEIGH:

SEATON GALES, PRINTER TO THE LEGISLATURE

—0—
1853

JOURNAL

OF THE

SENATE AND HOUSE OF COMMONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

—

PALENT

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1888

JOURNAL OF THE SENATE.

At a session of the General Assembly of North Carolina, begun and held in the City of Raleigh, on Monday, the 4th day of October, in the year of our Lord one thousand eight hundred and fifty two, and in the seventy seventh year of the Independence of the United States of America, convened by proclamation of the Governor of the State: which said proclamation is in the words following, viz:

PROCLAMATION.

"By his Excellency, David S. Reid, Governor of the State of North Carolina.

Whereas, with the advice of the Council of State, it has been deemed absolutely necessary to convene the General Assembly at an earlier day than is appointed by law for the regular meeting thereof, I do hereby issue this, my proclamation, notifying and requesting the Senators and Members of the House of Commons elect of the General Assembly of North Carolina to meet in session at the Capitol in the City of Raleigh, on Monday, the fourth day of October next.

Given under my hand and attested by the great seal of the State of North Carolina. Done at the City of Raleigh

eight, the 25th day August A. D. 1852, and in the 77th year of our Independence.

DAVID S. REID.

WM. H. JONES,

Private Secretary.

And the said Proclamation being read by the Clerk, the following members of the Senate appeared, exhibited their credentials and were qualified according to law, viz :

From the	1st District—	Pasquotank and Perquimons—	Thos. F. Jones.
"	2d do	Camden and Currituck—	
"	3d do	Gates and Chowan—	Henry Willey.
"	4th do	Washington and Tyrrell—	
"	5th do	Northampton—	
"	6th do	Hertford—	R. G. Cowper.
"	7th do	Bertie—	Lewis Thompson.
"	8th do	Martin—	Daniel Ward.
"	9th do	Halifax—	Andrew Joyner.
"	10th do	Edgecomb—	Henry T. Clark.
"	11th do	Pitt—	B. G. Albritton.
"	12th do	Beaufort and Hyde—	Riley Murray.
"	13th do	Craven—	
"	14th do	Carteret and Jones—	M. F. Arendell.
"	15th do	Lenoir and Green—	
"	16th do	New Hanover—	James Kerr.
"	17th do	Onslow—	
"	18th do	Duplin—	B. W. Herring.
"	19th do	Brunswick, Bladen & Col.—	T. S. D. McDowell.
"	20th do	Cumberland—	Alex. Murchison.
"	21st do	Sampson—	Thos. Bunting.
"	22d do	Wayne—	Curtis H. Brogden.
"	23d do	Johnson—	Wm. H. Watson.
"	24th do	Wake—	Wesley Jones.
"	25th do	Nash—	John H. Drake.
"	26th do	Franklin—	James Collins.
"	27th do	Warren—	Weldon N. Edwards.
"	28th do	Granville—	N. E. Cannady.
"	29th do	Person—	J. W. Cunningham.
"	30th do	Orange—	John Berry.
"	31st do	Chatham—	Wm. Albright.
"	32d do	Moore and Montgomery—	A. R. Kelly.

"	33d	do	Robeson and Richmond—W. L. Steele.
"	34th	do	Anson—Purdie Richardson.
"	35th	do	Randolph—W. B. Lane.
"	36th	do	Guilford—John A. Gilmer.
"	37th	do	Caswell—E. K. Withers.
"	38th	do	Rockingham—George D. Boyd.
"	39th	do	Mecklenburg—G. W. Caldwell.
"	40th	do	Cabarrus and Stanly—D. A. G. Palmer.
"	41st	do	Rowan and Davie—J. A. Lillington.
"	42d	do	Davidson—Sam'l Hargrave.
"	43d	do	Stokes—Phillip Barrow.
"	44th	do	Surry and Ashe—Geo. Bower.
"	45th	do	Iredell—R. H. Parks.
"	46th	do	Lincoln and Catawba—John F. Hoke.
"	47th	do	Rutherford and Cleveland—John G. Bynum.
"	48th	do	{ Burke, Caldwell, } Anderson Mitchell. { Wilkes & McDowell, }
"	49th	do	{ Buncombe, Yancy } N. W. Woodfin. { and Henderson, }
"	50th	do	{ Haywood, Macon and } W. H. Thomas. { Cherokee, }

When the second Senatorial District, composed of the Counties of Camden and Currituck, was called, H. M. Shaw and John Barnard each exhibited certificates of election, which, at the suggestion of Mr. Joyner, were passed over.

A quorum, consisting of a majority of the whole number of members, being present, Mr. Bower nominated Weldon N. Edwards, of Warren, for Speaker.

On motion of Mr. Bynum, the name of Andrew Joyner was added to the nomination: and the Senate voted as follows.

FOR MR. EDWARDS.

[Messrs. Ward, Clark, Kerr, Herring, McDowell, Murchison, Bunting, Brogden, Watson, Wesley Jones, Drake, Collins, Cannady, Cunningham, Berry, Withers, Boyd, Caldwell, Hargrave, Barrow, Bower, Hoke and Thomas.—23.

FOR MR. JOYNER.

Messrs. T. F. Jones, Willey, Cowper, Thompson, Albritton, Murray, Arendell, A bright, Kelly, Steele, Richardson, Lane, Gilmer, Palmer, Lillington, Parks, Bynum, Mitchell, and Woodfin.—19.

Mr. Edwards having received a majority of the votes given, was declared duly elected speaker of the Senate, and, being conducted to the Chair by Messrs. Bower and Bynum, made his acknowledgements in an appropriate address.

Mr. Lillington introduced the following Resolution, viz:

Resolved, that John Hill be appointed principal Clerk and Geo. E. B. Singeltary assistant Clerk of the Senate during the present session of the Legislature.

The question on the adoption of said Resolution was determined in the affirmative: yeas 35, nays 9.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Speaker, Arendell, Bower, Berry, Bunting, Brogden, Boyd, Barrow, Clark, Cannady, Caldwell, Collins, Cunningham, Drake, Gilmer, Hoke, Hargrave, Herring, Wesley Jones, Kerr, Kelly, Lane, Lillington, McDowell, Murchison, Mitchell, Parks, Richardson, Steele, Thomas, Willey, Woodfin, Ward, Watson and Withers.

Those who voted in the negative are,

Messrs. Albright, Albritton, Bynum, Cowper, Joyner, T. F. Jones, Murray, Palmer and Thompson.

On motion of Mr. Bower, James Page was appointed principal Door Keeper of the Senate.

Mr. Hoke nominated Patrick McGowan for assistant Door-Keeper. On motion of Mr. Bynum, the name of Green Hill was added to the nomination.

The Senate then voted as follows :

FOR MR. MCGOWAN.

Messrs. Speaker, Ward, Clark, Kerr, Herring, McDowell, Murchison, Bunting, Brogden, Watson, Wesley Jones, Drake, Collins, Cannady, Cunningham, Steele, Withers, Boyd, Caldwell, Hargrave, Barrow, Bower, Hoke and Thomas.—24.

FOR MR. HILL.

Messrs. T. F. Jones, Willey, Cowper, Thomas, Joyner, Albritton Murray, Arendell, Albright, Kelly, Richardson, Lane, Gilmer, Palmer, Lillington, Parks, Bynum, Mitchell, and Woodfin.—19.

Mr. Berry voted for Mr. Anderson.

Mr. McGowan, having received a majority of the votes given, was declared duly elected assistant Door-Keeper.

On motion of Mr. Bower, the certificates presented by Messrs. Shaw and Barnard were read.

Whereupon, Mr. Hoke offered the following resolution, viz :

Resolved, That from the certificates of the Sheriffs, exhibited to the Senate, Henry M. Shaw is entitled to a seat in this House, as a Senator from the Counties of Camden and Currituck.

Mr. Woodfin moved to amend the resolution, by striking out all after the word resolved, and inserting the following, viz :

"That the evidences of election to a seat in this body, presented by John Barnard and H. M. Shaw, be referred to a select Committee of seven." Pending the question on said amendment,

On motion of Mr. Thomas, the Senate adjourned until to morrow morning, 11 o'clock.

TUESDAY, OCT. 5TH, 1852.

Thomas J. Person, the Senator elect from the county of Northampton, (being the 5th Senatorial District) Charles McClees, the senator elect from the 4th District, composed of the Counties of Washington and Tyrrell, James P. Speight, the Senator elect from the 15th District, composed of the Counties of Lenoir and Green, and George McMillan, the Senator elect from Onslow County, (being the 17th District,) severally appeared, produced their credentials, were qualified and took their seats.

Received a message from the House of Commons, announcing the due organization of that body, by the appointment of John Baxter, Speaker, Stephen D. Pool, principal Clerk, James R. Dodge, assistant Clerk, William R. Lovell, principal Door-Keeper and W. S. Webster, assistant Door-Keeper, and of their readiness to proceed to the dispatch of public business.

On motion of Mr. Bower,

Ordered, that a message be sent to the House of Commons, informing that body of the due organization of the

Senate by the election of Weldon N. Edwards, the Senator from Warren County, Speaker, John Hill, principal Clerk, George E. B. Singeltary assistant Clerk, James Page and Patrick McGowan, Door-Keepers, and that it is ready to proceed to the dispatch of public business.

On motion of Mr. Steele.

Resolved, That the principal Door-Keeper of the Senate be instructed to procure suitable tables for the use of Reporters and place them in the lobby behind the Speaker's Chair.

The Speaker laid before the Senate a communication from the Secretary of the State, relating to the public printing, which was read, and, on motion of Mr. Lillington, ordered to be sent to the House of Commons.

On motion of Mr. Brogden,

Resolved, That the rules of order for the Government of the last Senate, be adopted for the Government of the present Senate, until otherwise ordered.

Received a message from the House of Commons, proposing to appoint a Joint select Committee of two on the part of each House to wait on his Excellency, the Governor, and inform him of the due organization of both branches of the Legislature, and of their readiness to receive any communication he may have to make ; which was concurred in, and Messrs. Joyner and Brogden appointed the Committee on the part of the Senate, and the House of Commons informed thereof.

Received a message from the House of Commons, informing that Messrs. Martin and Phillips form their branch of the Joint select Committee, to wait on his Excellency,

the Governor, in pursuance of the Joint agreement of the two Houses.

Mr. Joyner, from the Committee appointed to wait on his Excellency, the Governor, reported that the Committee had performed the duty assigned them and received for answer that he would be pleased to make a communication to the two Houses to day at 12 o'clock.

Received a message from the House of Commons transmitting the message of his Excellency, the Governor, and accompanying documents, with a proposition to print five copies of the same, for each member of the Legislature.

The message was read, and the proposition to print agreed to.

The Senate now proceeded to consider the resolution relative to the contested election from Camden and Currituck.

Mr. T. F. Jones offered the following, which was accepted by Mr. Woodfin, in view of his amendment of yesterday, viz :

"Whereas, the Sheriff of Camden County hath certified to the Senate that John Barnard, on the 5th of August last, was duly elected a member of the House, from the 2nd Senatorial District, composed of the Counties of Camden and Currituck ;

Whereas, the Sheriff of Currituck County, was alive on the day the election was held, but died before the day fixed by law for comparing polls, whereupon, the Coroner of said Currituck County hath certified that H. M. Shaw is elected Senator in said District ;

Whereas, the certificate of the said Coronor, *if admissible at all*, can, (as it is insisted) be justified only by taking from said Barnard one vote received by him in Camden County, because on the certified return from one precinct, the votes counted out numbered one more than the voters at the same District listed by the Clerk, and by giving *two votes* to said Shaw in Currituck County, because two votes were found in the Governor's box at a precinct, where, without *counting said two votes*, the number of voters *listed*, and the number of votes counted out, were the same.

And whereas, neither applicant has on his behalf, the evidence required by law, before taking a seat to represent the freemen of North Carolina in this body, and, to enable the Senate to do Justice to both, *investigation* is necessary :

Resolved, That it be referred to a select Committee of seven, whose duty it shall be to report the facts of this case at the very earliest day convenient.

By the consent of the Senate, a paper writing, relating to the subject before the Senate, was presented by Mr. T. F. Jones and read.

And pending debate,

On motion of Mr. Bynum, the Senate adjourned, until to-morrow morning 11, o'clock.

WEDNESDAY, OCT. 6th, 1851.

Received a message from the House of Commons, proposing to raise a Joint select Committee of two on the part of each House, to take into consideration the furnishing each House in a manner suitable to the comfort and convenience of the members: which was concurred in: And Messrs. Bunting and Lillington appointed the committee on the part of the Senate.

Also, a message proposing to raise a joint select Committee, of five, on behalf of the House of Commons, and three on the part of the Senate, to prepare and report rules for the Government of the intercourse of the two Houses.—Concurred in: And Messrs. Bower, Thomas and Brogden, appointed the Committee on the part of the Senate.

Also, a message, proposing to raise a Joint Select Committee, to consist of nine on the part of the House, and five on the part of the Senate, on so much of the message of his Excellency, the Governor, as relates to the question of repealing, for the session, the existing law as to the period of the meeting of the General Assembly, and proceeding to act on the ordinary business of legislation.

The proposition was agreed to, and the House of Commons informed that Messrs. Caldwell, T. F. Jones, Hargrave, Drake and Albritton, form the Senate's branch of the committee on the subject.

Also, a message proposing to raise a Joint Select Committee, to consist of nine on the part of the House, and five on the part of the Senate, on so much of the message of the Governor as relates to the subject of prescribing the mode of electing Electors, to cast the vote of the State of

North Carolina, for President and Vice-President of the United States, and of changing the existing law in relation thereto.

Concurred in; and the House of Commons informed that Messrs. Hoke, Kelly, Thomas, Boyd and Woodfin, form the Senate's branch of the committee on the subject.

Also, a message proposing that the two Houses proceed into an election for Engrossing Clerk,

Which, on motion of Mr. Caldwell, was laid upon the table, and the House of Commons informed thereof.

Mr. Watson introduced the following resolution, viz :

Resolved, That when the Senate is adjourned, it shall be to 10 o'clock, until otherwise ordered.

Which, on motion of Mr. Bynum, was ordered to be laid upon the table.

Received, a message from the House of Commons, announcing that Messrs. S. P. Hill and Cherry form their branch of the Joint Select Committee for furnishing each House in a manner suitable to the convenience and comfort of the members.

Also, a message informing that Messrs. Wheeler, Waters, Avery, Wynne and Adams form their branch of the committee on the Joint Rules of the two Houses.

Also, a message, stating that Messrs. Leach, Carmichael, Love, Black, Strange, Amis, Wilder, Albertson and Stubbs form the committee on the part of the House of Commons, on so much of the Governor's message as relates to the meeting of the General Assembly.

Also, a message informing that Messrs. Dobbin, Fagg, Dobson, Lander, Wiley, J. Turner, Cherry, Dortch and W. H. Sanders form their branch of the Joint Select Committee, on so much of the Governor's message as relates to the subject of prescribing the mode of electing Electors, &c.

The Senate now resumed the consideration of the unfinished business of yesterday, viz: the contested election from Camden and Currituck.

Mr. T. F. Jones presented a paper in relation to the same, and asked that it be read. Mr. Hoke objected to the reading of the paper, as being not in order, but, by permission of the Senate, it was read, and ordered to be laid on the table.

Pending debate, on motion of Mr. Joyner, the Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, OCT. 7.

Mr. Bower, from the Joint Committee appointed to prepare rules of order for the Government of the two Houses, reported the following Joint rules of order, which were adopted, viz:

1. Each House shall perfect and finally act on all Bills, Resolutions and orders, before the same shall be communicated to the other for its concurrence; and if amended in the House, to which it is transmitted, it shall be communicated to the House, in which it originated, asking the concurrence of that House in the amendment.

2. In any case of amendment of a Bill, Resolution or order, agreed to in one House and disagreed to in the other, if either House shall request a conference and appoint a Committee for that purpose, and the other House shall also appoint a committee to confer, each Committee shall consist of an equal number, and they shall meet and state to each other the reasons of their respective Houses for and against the amendment, and confer freely thereon, and make a report in writing to their respective Houses of the result of their conference.

3. Messages from one House to the other shall be sent by the assistant Clerk of each House, unless otherwise ordered.

4. When a message shall be sent from one House to the other, it shall be announced at the door of the House to which it is sent, by the Door-Keeper, and shall be respectfully delivered to the chair by the person by whom it may be sent.

5. After a bill shall have passed the House in which it originated, it shall be under the signature of the clerk, and engrossed under his direction and inspection, before it shall be communicated to the other House.

6. After a bill shall have passed both Houses, it shall be duly enrolled, on suitable paper, by the engrossing clerks, before it shall be presented for ratification.

7. When bills are enrolled, they shall be carefully examined by a Joint Committee of three from the Senate and five from the House of Commons, appointed at the meetings of the two Houses each Monday morning, as a committee for that purpose, for one week, whose duty it shall be to compare the enrolled with the engrossed bill, as passed in the two Houses, and to correct any errors that may be dis-

covered in the enrolled bills, and make their report of the said bills to the House.

8. After examination and report, each bill shall be ratified and signed in the respective Houses, first by the Speaker of the House of Commons, and then by the Speaker of the Senate.

9. All orders, resolutions and votes of the Houses shall be examined, engrossed, and signed in the same manner as bills.

10. When a bill or resolution, which shall have passed in one House, is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

11. The Committee in each House shall, in all cases, make a statement of facts on which their report is founded; which statement, with all other papers on which any bill or resolution may be formed, shall be transmitted to the other House.

12. The Committee of Finance shall be Joint, consisting of eight members of each House.

13. The Library Committee shall be a Joint standing committee, consisting of three member from each House, appointed by the Speakers thereof respectively.

14. In all Joint Committees, the members first named on the Committee, on the part of the House proposing to raise such Committee, shall convene the same, and, when met, they shall choose their own Chairman.

15. Either House may make a reference to any Joint Committee, and all reports shall be made to the House ordering such reference.

15. When either House shall order any paper or document to be printed, it shall be printed in octavo form, on good paper, and with fair type. and shall be distributed in the following manner: one copy thereof to each member of the General Assembly, one copy to the Clerks to each House for the use thereof; ten copies shall be deposited in the public Library, and the public Librarian is requested to have them neatly bound.

16. All elections requiring a Joint vote shall be *viva voce*, and a select Committee of two members in each House shall be appointed to superintend the same in their respective Houses. After the vote shall have been taken, said select Committee shall confer together and report the result of such election to their respective Houses.

17. The foregoing rules shall be permanent Joint rules of the Legislature of North Carolina until altered or amended.

On motion of Mr. Clark,

Messrs. Clark, Joyner, Bower, Person and Gilmer were appointed a Committee to prepare and report rules of order for the Government of the Senate.

The Senate now resumed the consideration of the unfinished business of yesterday, viz: the contested election from Camden and Currituck.

The question being on the amendment offered by Mr. Jones, of Pasquotank and Perquimons, viz: "strike out all after the word resolved, and insert the following, viz:

"That it be referred to a select Committee of seven, whose duty it shall be to report the facts of the case, at the earliest moment convenient.

Mr. Bower called for a division of the question, and the same being first taken on striking out, was determined in the negative, ayes 21, noes 25.

Mr. Joyner demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, Joyner, T. F. Jones, Kelly, Lane, Lillington, Mitchell, McClees, Murray, Parks, Palmer, Richardson, Steele, Thompson, Willey and Woodfin.

Those who voted in the negative are :

Messrs. Bower, Berry, Bunting, Brogden, Boyd, Barrow, Clark, Canady, Caldwell, Collins, Cunningham, Drake, Hoke, Hargrave, Herring, W. Jones, Kerr, McMillan, McDowell, Murchison, Person, Speight, Ward, Watson and Withers.

Mr. Lillington now offered the following amendment, viz :

Strike out all after the word resolved and insert as follows, viz : That, as in the contested election from the second Senatorial District, composed of the Counties of Camden and Currituck, it does not satisfactorily appear from the evidence produced by John Barnard and Henry M. Shaw, that either is entitled to the seat, that said election be referred to the people of said District for their decision, and that a writ of election issued :

A division of the question being called for by Mr. Bower, and being first taken on striking out, was determined in the negative. Ayes 21, noes 25.

Mr. Lillington demanded the ayes and noes.

Those who voted in the affirmative are :

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, Joyner, T. F. Jones, Kelly, Lane, Lillington, Mitchell, McClees

Murray, Parks, Palmer, Richardson, Steele, Thompson, Willey and Woodfin.

Those who voted in the negative are,

Messrs. Bower, Berry, Bunting, Brogden, Boyd, Barrow, Clark, Cannady, Caldwell, Collins, Cunningham, Drake, Hoke, Hargrave, Herring, Jones of Wake, Kerr, McMillan, McDowell, Murchison, Person, Speight, Ward, Watson and Withers.

So the Senate refused to strike out.

The question now recurred on the passage of the original Resolution, which declares that Henry M. Shaw is entitled to a seat in this House, as a Senator from the Counties of Camden and Currituck, and was decided in the affirmative—yeas 25, noes 21.

Mr. Joyner demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Bower, Berry, Bunting, Brogden, Boyd, Barrow, Clark, Cannady, Caldwell, Collins, Cunningham, Drake, Hoke, Hargrave, Herring, Jones, of Wake, Kerr, McMillan, McDowell, Murchison, Person, Speight, Ward, Watson and Withers.

Those who voted in the negative are,

Messrs. Abright, Albritton, Arendell, Bynum, Cowper, Gilmer, Joyner, T. F. Jones, Kelly, Lane, Lillington, Mitchell, McClees, Murray, Parks, Palmer, Richardson, Steele, Thompson, Willey and Woodfin.

Whereupon on motion of Mr. Hoke,

Henry M. Shaw appeared and was qualified according to law.

On motion of Mr. Hoke, the Senate adjourned until to morrow morning 10 o'clock.

FRIDAY, October 8th, 1852.

Mr. Joyner offered the following resolution, which was adopted, viz :

Resolved, That the Door-Keeper be instructed to furnish the members of the Senate with ice water, during the continuance of the present extreme hot weather.

Mr. Gilmer introduced the following resolution, viz :

Resolved, That H. Fowler be employed as an official Reporter of the proceedings, debates, &c., of the Senate, and that he be allowed the usual rates of compensation for stenographic reporting.

Resolved, further, That a copy of the reports, so made, be furnished each of the political papers of this city.

On motion of Mr. Steele, said resolution was referred to a select committee, consisting of Messrs. Steele, Bower and Woodfin.

Mr. Steele submitted the following declaration, by way of protest, in behalf of himself and others, who voted in the negative, on the resolution which follows, on the 7th inst., and the same is, by order, spread upon the Journal.

“The undersigned, who voted in the negative, do hereby most solemnly protest against the action of the Senate, on the 7th day of October, 1852, by which the following resolution was passed :

“*Resolved*, That, from the certificates of the sheriffs, exhibited to the Senate, Henry M. Shaw is entitled to a

seat in this House, as a Senator from the counties of Camden and Currituck."

The case before the Senate, at the time said resolution was passed, as we find it, was as follows :

The Sheriff of Camden county certifies, under his hand and seal, that John Barnard was duly elected. A person styling himself at one time "*Coroner*," and at another time, "returning officer of Currituck county," gives a certificate, *not under seal, and without date*, in which he professes to set forth the vote in both Camden and Currituck counties, and therein declares Henry M. Shaw duly elected by a majority of one vote. The affidavits of the inspectors, at one box in the county of Camden, state, that, at said box, the names of seventy-eight voters were recorded upon the scroll, and seventy-nine votes were found in, and counted out of the box, (a discrepancy not discovered by them at the time, and which, they believe, was produced by a failure to record the name of one voter, owing to the press around them, while the balloting was going on,) of which said seventy-nine votes, 62 were given for John Barnard, and 17 for Henry M. Shaw ; that a certificate to that effect was written, signed by all the inspectors, and delivered to the officiating justice of the peace, to be by him delivered to the sheriff of Camden on the next day ; that on the morning of the said next day, said justice discovered the discrepancy above named, and without the knowledge or consent of the other two inspectors, or any one else, drew his pen through the figure "2" of the "62," (the number of votes given for John Barnard,) and placed the figure "1" beneath the said mutilated figure "2," and, as thus altered, delivered the said certificate to the sheriff ; that the sheriff of Currituck county was living on the day of election, but died before the day fixed by law for comparing the votes ; that said "*Coroner*," or *returning officer*, met the sheriff of Camden on the day fixed by law for said purpose, and, according to the certificate of the sheriff of

Camden, refused or neglected, after a demand to that effect was made, to exhibit the poll books of any of the election precincts of his county, except one, or to determine the result of the election in the manner described by law. Also, the said "returning officer" from *Currituck* county, in his said certificate, states the whole number of votes given in Camden county, to have been 294, of which number John Barnard had 240, and Henry M. Shaw 53, showing one more vote cast than counted.

Further: Before the vote was taken on said resolution, John Barnard proposed to prove, that, at one precinct in Currituck county, where the number of votes recorded, and the number of votes in the box were precisely the same, the inspectors of said precinct added to the number received by Henry M. Shaw, two votes, which were found in the Governor's box; that other illegal votes were given for said Henry M. Shaw, and the sheriff of Currituck county and others had voted for him by proxy.

The undersigned, by a resolution introduced, asked and were refused a committee to hear proofs and report the facts. And further, before the vote was taken on said resolution, it was proposed by the undersigned to refer the whole question back to the people.

Therefore, we protest against the said action of the Senate, first, because the evidence presented by said Henry M. Shaw was not in conformity to the act of Assembly, which requires the certificates or joint certificate, *under seal*, of both returning officers, and did not, *prima facie*, entitle him to take his seat; secondly, because the other facts in the case did not support the certificate of the returning officer of Currituck county, or supply its deficiencies.

And, lastly, because said action makes a precedent dangerous to the liberties of the people, tending to take from them the right of selecting their own representatives, and to place it in the hands of a majority of the Senate.

M. F. ARENDELL.

JNO. A. LILLINGTON.

WATER L. STEELE.
B. G. ALBRITTON.
RICH'D G. COWPER.
H. WILLEY.
A. MITCHELL.
JOHN GRAY BYNUM.
R. H. PARKS.
A. JOYNER.
WM. ALBRIGHT.
PURDIE RICHARDSON.
RILEY MURRAY.
A. R. KELLY.
CHAS. MCCLEES.
LEWIS THOMPSON.
THOS. F. JONES.
N. W. WOODFIN.
W. B. LANE.
JOHN. A. GILMER.
D. A. G. PALMER.

October, 8th, 1852.

Mr. Joyner introduced the following resolutions, which were unanimously adopted, viz :

Resolved, That this House have received, with deep regret, the melancholy intelligence of the death of the honorable William H. Haywood, jr., a resident of this city, and a distinguished citizen of the State.

Resolved, That the members of this House tender the expression of their deep sympathy to the family and relatives of the deceased, on this mournful event, and that they will attend his funeral at 4 o'clock on this day.

On motion of Mr. Hoke,

The Senate adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, OCT. 9th, 1852.

Received from the House of Commons a message transmitting the following Engrossed bill, in which they ask the concurrence of the Senate, viz :

A Bill providing for the election of Electors, to vote for President and Vice President of the United States, in the year 1852, which was read the first time and passed ; and on motion of Mr. Woodfin, the rules were suspended, and the bill read the second and third times, passed, and ordered to be enrolled.

Mr. Clark, from the Committee appointed to prepare and report rules of order for the government of the Senate, reported the following, and recommended their adoption, viz :

Rule 1st. When the Speaker takes the Chair, each member shall take his seat, and, on the appearance of a quorum, the Journal of the preceeding day shall be read.

Rule 2nd. After the Reading of the Journal of the preceeding day, the Senate shall proceed to business, in the following order, viz :

1st. The receiving petitions, memorials, pension Certificates and papers addressed either to the General Assembly, or the Senate.

2nd. The reports of standing Committees.

3rd. The reports of select Committees

4th. Resolutions.

5th. Bills.

6th. Bills, resolutions, petitions, memorials, messages, pension certificates, and other papers on the table.

Then the orders of the day : but motions and messages to elect officers shall always be in order.

Rule 3rd. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat, and respectfully address himself to the Speaker, and shall confine himself to the question under debate, and avoid personality : and when two or more members happen to rise at once, the Speaker shall name the one who is first to speak. No member shall speak oftener than twice on the same question, without leave of the House ; and when any member is speaking, he shall not be interrupted by any person, either by speaking, or by standing or passing between him and the Chair.

Rule 4th. All bills and resolutions introduced shall pass, as a matter of course, the first reading.

Rule 5th. If any member, in speaking, or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call him to order ; in which case, the member so called to order shall immediately sit down, unless permitted to explain, and the House shall, if appealed to, decide on the case, but without debate. If there be no appeal, the decision of the Chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed ; if otherwise, and the case require it, he shall be liable to the censure of the House.

Rule 6th. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, to postpone indefinitely, to postpone to a day certain, to correct, or to amend, which several motions shall have precedence in the order they stand arranged, and the motion for adjournment shall always be in order, and decided without debate.

Rule 7th. Questions may be stated by the Speaker, sitting, but shall be put standing. Questions shall be distinctly put, in this form: "Senators, as many as are of the opinion that (as the case may be) *say aye*, and after the affirmative voice is expressed, "*as many* as are of the contrary opinion say no." If the Speaker doubt as to the voice of the majority, or a division be called for, the Speaker shall call on those in the affirmative of the question to rise from their seats, and afterwards those in the negative. If the Speaker still doubt, or a count be required, the Speaker shall name two members, one from each side, to tell the number in the affirmative, which, being reported, he shall then name two others, one from each side, to tell the number in the negative, which, being also reported, he shall state that division to the House, and announce its decision. No member, who was without the bar of the Senate when any question was put from the chair, shall enter his yea or nay, without leave, unless he shall have been absent on some Committee: and the row of pillars shall be the bar of the Senate.

Rule 8th. When any member shall make a motion, which is not of course, he shall reduce the same to writing, if required.

Rule 9th. In all cases of election by the House, the Speaker shall vote, and when, on a division, there shall be an equal number of votes, the Speaker shall decide the

question. In no case shall he vote, unless his vote, if given to the minority, shall make the division equal: and when an equal division shall be produced by the Speaker's vote, the question shall be lost.

Rule 10th. No member shall depart the service of the House without leave, or receive pay as a member for the time he is absent.

Rule 11th. Petitions, memorials, and other papers, addressed to the House, shall be presented by the Speaker or by a member in his place; a brief statement of the contents thereof shall verbally be made by the introducer, and the petition, memorial or other paper shall not be read, unless so ordered by the House.

Rule 12th. Resolutions for the appropriation of public money, all resolutions of a public nature, as well as all bills, shall be read the first time for information, and, upon this reading shall not be subject to amendment, but may be amended on the second or third reading; and the Clerk shall keep a calendar of all such resolutions and bills with the orders taken on them, for the inspection of the members of the Senate.

Rule 13th. All bills of a public nature, when ready for the second reading, shall be noted to be read, at least one day previous thereto, and then shall first be read for information, and afterwards paragraph by paragraph and held open for amendment.

Rule 14th. After a bill has been once rejected, postponed indefinitely, or to a day beyond the session, another of like provision shall not be introduced during the same session.

Rule 15. When a question has once been decided, it shall be in order for any member in the minority to move

for a reconsideration thereof, on the same or succeeding day, if the bill, resolution or paper upon which the question has been taken, be in the possession of the Senate; and no bill or resolution of a public nature shall be sent from the Senate until 12 o'clock the succeeding day.

Rule 16th. All questions, concerning amendments to the Constitution, requiring a vote of *three fifths or two thirds* for their passage, shall only be reconsidered by a vote necessary for the passage of the amendment. And the motion to reconsider shall be made by some member who voted with the prevailing side.

Rule 17th. The Speaker shall examine and correct the Journal before it is read. He shall have the general direction of the hall. He shall designate the members who shall compose all committees, except when otherwise ordered, and the select committees of the House shall consist of five members.

Rule 18th. There shall be appointed by the Speaker, the following Committees, namely: A Committee of Propositions and Grievances; a Committee of Privileges and Elections; a Committee of Claims; a Committee on the Judiciary; a Committee on Internal Improvements; a Committee on Education and the Literary Fund; and a Committee on Corporations, consisting of seven members each.

Rule 19th. When the House resolves itself into a Committee of the Whole, the Speaker shall leave the chair, and appoint a Chairman, and when, upon any other occasion, the Speaker wishes to leave the chair, he shall appoint a Speaker *pro tem*.

Rule 20th. When any petition, memorial or other paper, addressed to the House, shall have been referred either to

one of the Standing or Select Committees, they shall, in their report on the petition, memorial, or other paper, make a statement, in writing, of the facts embraced in the case so referred.

Rule 21st. In case of any disturbance or disorderly conduct, in the lobby or gallery, the Speaker or Chairman of the Committee of the whole House shall have the power to have the same cleared.

Rule 22d. No person, except members of the House of Commons, officers and clerks of the two Houses of the General Assembly, Judges of the Supreme and Superior Courts, officers of the State, resident at the seat of government, members of Congress, persons particularly invited by the Speaker, and such gentlemen as have been members of either House of the Legislature, shall be admitted within the hall of the Senate.

Rule 23d. Any member dissatisfied with the decision of the Speaker, on any question of order, may appeal to the House.

Rule 24th. When the House adjourns, the members shall keep their seats until the Speaker leaves the Chair.

Rule 25. On motion of adjournment, the question shall be decided without debate.

The Rules for the government of the Senate shall not be amended or altered, without giving at least one day's notice of such amendment or alteration, except by consent of two-thirds of the members present."

Whereupon, said report was concurred in, and rules adopted, with the exception of section 16, which, being objected to, the further consideration of the same was, on motion of Mr. Hoke, laid on the table.

Mr. Steele, from the select committee to whom was referred a resolution in favor of the employment of H. Fowler, as an official reporter of the proceedings and debates of the Senate, reported the same back to the Senate, and recommended its adoption.

Whereupon, on motion of Mr. Bower, said resolution was laid on the table.

Mr. Arendell moved that the Senate do now adjourn, until Monday morning, 11 o'clock, which motion was determined in the negative—Ayes 20, noes 25.

Mr. Bower demanded the ayes and noes.

Those who voted in the affirmative, are :

Messrs. Albritton, Arendell, Bunting, Clark, Caldwell, Cowper, Gilmer, Herring, Joyner, T. F. Jones, Kelly, Lane, Lillington, McClees, Murray, Parks, Speight, Thompson, Willey and Woodfin.

Those who voted in the negative, are :

Messrs. Albright, Bower, Berry, Brogden, Boyd, Barrow, Bynum, Cannady, Collins, Cunningham, Drake, Hoke, Hargrave, Kerr, McDowell, Murchison, Mitchell, Person, Palmer, Richardson, Steele, Thomas, Ward, Watson and Withers.

Mr. McClees moved that the Senate adjourn until Monday morning, 10 o'clock, which motion was decided in the negative—Ayes 16, noes 27.

Those who voted in the affirmative, are :

Messrs. Albritton, Bunting, Clark, Caldwell, Cowper, Hoke, Herring, Joyner, Kelly, Lane, Murchison, McClees, Parks, Speight, Thompson and Woodfin.

Those who voted in the negative, are :

Messrs. Albright, Arendell, Bower, Berry, Brogden, Boyd, Barrow, Bynum, Cannady, Collins, Cunningham, Drake, Gilmer, Hargrave, T. F. Jones, Kerr, Lillington, Mitchell, Murray, Person, Palmer, Richardson, Thomas, Willey, Ward, Watson and Withers.

So the Senate refused to adjourn.

Mr. Joyner moved that the Senate do now adjourn until Monday morning 10 o'clock, which motion was determined in the affirmative, ayes 23, noes 18.

Those who voted in the affirmative are:

Messrs. Albright, Bunting, Brogden, Barrow, Clark, Caldwell, Gilmer, Hoke, Herring, Joyner, T. F. Jones, Kerr, Lane, McDowell, Murchison, Murray, Parks, Richardson, Speight, Thompson, Willey, Woodfin, and Ward.

Those who voted in the negative, are :

Messrs. Arendell, Bower, Berry, Boyd, Bynum, Cannady, Collins, Cunningham, Cowper, Drake, Hargrave, Lillington, Mitchell, Person, Palmer, Thomas, Watson and Withers.

So the Senate adjourned until Monday morning, at 10 o'clock.

MONDAY, OCT. 11th, 1852.

The Committee on Enrolled bills for the present week are Messrs. Hoke and Willey.

William H. Washington, the Senator elect from the County of Craven (being the 13th Senatorial District) appeared, produced his credentials, was qualified and took his seat.

On motion of Mr. Hoke, the Senate now took up for consideration, the report of the select Committee appointed to prepare rules of order for the Government of the Senate.

The question being on the adoption of section 16 as recommended by the Committee, Mr. Hoke moved the following amendment as a substitute, viz :

“When any question may have been decided by the Senate, in which two thirds of the members present are necessary to carry the affirmative, any member who votes on that side which prevailed in the question may be at liberty to move for a reconsideration, and a motion for reconsideration shall be decided by a majority of votes.”

And the question being taken on said amendment, was decided in the negative.—Ayes 20, noes 21.

Mr. Clark now moved the following amendment as a substitute for said 16th section.

16th. “When an amendment to be proposed to the Constitution is under consideration, a concurrence of two thirds or three fifths of the members present shall not be requisite to decide any question for amendments, or extending to the merits, being short of the final question.

17. When any question may have been decided by the Senate, in which three fifths or two thirds of the members present are necessary to carry the affirmative, any member who voted on that side which prevailed in the question, may be at liberty to move reconsideration ; and a motion for reconsideration shall be decided by a majority of votes.”

A division of the question being called for by Mr. Clark, the question was first taken on the adoption of the first

branch of the amendment marked as section no 16, and decided in the affirmative—ayes 37, noes 11.

Mr. Hoke demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Bower, Berry, Bunting, Brogden, Boyd, Barrow, Clark, Cannady, Caldwell, Collins, Cunningham, Drake, Gilmer, Hoke, Hargrave, Herring, W. Jones, Kerr, Kelly, Lane, Lillington, McMillan, McDowell, Murchison, Mitchell, Murray, Parks, Palmer, Richardson, Steele, Speight, Shaw, Thomas, Woodfin, Ward, Withers and Washington.

Those who voted in the negative are,

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Joyner, T. F. Jones, McClees, Person, Thompson and Willey.

The question was now taken on the second branch of the amendment offered as section no 17, and was determined in the affirmative—ayes 33, noes 15.

Those who voted in the affirmative are,

Messrs. Bower, Berry, Bunting, Brogden, Boyd, Barrow, Clark, Cannady, Caldwell, Collins, Cunningham, Drake, Hoke, Hargrave, Herring, W. Jones, Kerr, Kelly, McMillan, McDowell, Murchison, Murray, Person, Palmer, Richardson, Steele, Speight, Shaw, Thomas, Woodfin, Ward, Withers and Washington.

Those who voted in the negative are,

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, Joyner, T. F. Jones, Lane, Lillington, Mitchell, McClees, Parks, Thompson and Willey.

On motion of Mr. Bower,

Ordered, that a message be sent to the House of Commons proposing to print in pamphlet form the Constitution

of the United States, the Constitution of North Carolina, the rules of order of the Senate, the rules of order of the House of Commons, and the Joint Rules of the two Houses, one copy for each member of the Legislature, one for each principal and assistant Clerks, and ten for the Public Library.

On motion of Mr. Steele,

Ordered, That a message be sent to the House of Commons proposing to go into an Election for one Engrossing Clerk this day, 11½ o'clock.

Received a message from the House of Commons, concurring in the proposition to vote to day at ½ past 11 o'clock for an Engrossing Clerk, and informing that Messrs. Thomas D. Harris, Wm. J. Houston, Wm. A. Jenkins, Nathaniel McLean and Solomon Faison, are in nomination for the appointment; and that Messrs. Spruill and Dortch constitute the Committee on their part to superintend said Election.

Whereupon, a message was sent to the House of Commons, informing that Messrs. Steele and Cannady were appointed superintendents on the part of the Senate, and the Senate voted as follows, viz :

FOR MR. HARRIS.

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, Hargrave, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Thompson, Washington, Willey and Woodfin.—22.

FOR MR. FAISON.

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Collins, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Shaw, Speight, Ward and Watson.—18.

FOR MR. JENKINS.

Messrs. Speaker, Clark, Cunningham, Drake, Person, Thomas, and Withers.--7.

FOR MR. HOUSTON.

Messrs. Cannady and Herring.--2.

FOR MR. McLEAN.

Mr. Steele.--1.

Mr. Steele, from the Committee appointed to superintend the election for Engrossing Clerk, reported that Mr. Harris had received 83 votes, Mr. Jenkins 36 votes, Mr. Faison 27 votes, Mr. Houston 15 votes, and Mr. McLean 5 votes; that no person in nomination having received a majority of the votes given, there was no election. Concurred in.

Received from the House of Commons, a message proposing to go again, forthwith, into an election for Engrossing Clerk, and informing that the name of Nath'l McLean is withdrawn from the nomination.

The proposition was concurred in, ayes 24, noes 21, and the House of Commons, informed that Messrs. Steele and Cannady constitute the Committee on the part of the Senate to superintend said election.

Received a message from the House of Commons, stating that Messrs. George and Holeman form their branch of the Committee, to superintend the election for Engrossing Clerk, and that the name of Mr. Faison is withdrawn from the nomination.

The Senate, under the superintendence of Messrs. Steele and Cannady, voted as follows, viz :

FOR MR. HARRIS.

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson, Washington, Willey and Woodfin.—22.

FOR MR. JENKINS.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Caldwell, Clark, Collins, Cunningham, Drake, Hargrave, Hoke, W. Jones, McMillan, Person, Shaw, Thomas, Ward and Withers.—19.

FOR MR. HOUSTON.

Messrs. Brogden, Bunting, Cannady, Herring, Kerr, McDowell, Murchison, Speight and Watson.—9.

Mr. Steele, from the Committee appointed to superintend the election for Engrossing Clerk, reported that Mr. Harris received 82 votes, Mr. Jenkins 73 votes, and Mr. Houston 9 votes; that no person in nomination having received a majority of the whole number of votes given, there is no election. Concurred in.

Received a message from the House of Commons, proposing to vote again forthwith for Engrossing Clerk.

On motion of Mr. Bower, ordered, that said message be laid upon the table—Ayes 22, noes 20.

On motion of Mr. Steele, the resolution proposing to appoint H. Fowler as an official Reporter of the proceedings and debates of the Senate, was now taken up.

The question on the passage of said resolution was determined in the negative, ayes 11, noes 33.

Mr. Boyd demanded the yeas and noes.

Those who voted in the affirmative are,

Messrs. Bynum, Gilmer, Joyner, Kelly, Lane, McClees, Palmer, Steele, Thompson, Washington and Woodfin.—11.

Those who voted in the negative are,

Messrs. Albright, Albritton, Arendell, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cowper, Cunningham, Drake, Hargrave, Herring, Hoke, T. F. Jones, W. Jones, Kerr, Lillington, McDowell, McMillan, Mitchell, Murchison, Murray, Parks, Person, Richardson, Shaw, Speight, Thomas, Ward, Watson, Withers, and Willey.—38.

So the resolution was rejected.

On motion of Mr. Gilmer, the Senate adjourned until tomorrow morning, at 10 o'clock.

TUESDAY, October 12th, 1852.

The Speaker announced the appointment of the following Committees:

On Propositions and Grievances.—Messrs. Watson, Brogden, Albright, Boyd, Richardson, McMillan and Murray.

On Claims.—Messrs. Drake, Murchison, Arendell, Barrow, Cowper, Ward and Albritton.

On the Judiciary.—Messrs. Woodfin, Caldwell, Hoke, Gilmer, Bynum, Lallington and Kelly.

On Internal Improvements.—Messrs. Thomas, Joyner, Mitchell, Cannady, T. F. Jones, Kerr and W. Jones.

On Corporations.—Messrs. Clarke, Mitchell, Speight, Shaw, McClees, Bynum and Collins.

On Privileges and Elections.—Messrs. Person, Thompson, Caldwell, Woodfin, Hargrave, Herring and Palmer.

On Education and the Literary Fund.—Messrs. Washington, Bunting, Lane, Cunningham, Steele, Berry and McDowell.

A message was sent to the House of Commons, informing that Messrs. Bower, Thompson, Caldwell, Steele, Watson, Gilmer, Withers and Thomas form the Senate branch of the Joint Select Committee on Finance.

And that Messrs. Bunting, Washington and Parks form the Senate branch of the Joint Select Committee on the Library.

Received a message from the House of Commons, agreeing to the proposition of the Senate, to print, in pamphlet form, the Constitution of the United States, the Constitution of North Carolina, Rules of Order, &c,

And informing that Messrs. Stubbs, Monday, Webb, Black and Hawkins constitute the House Committee on enrolled bills the present week.

A message was received from the House of Commons, proposing to appoint a Joint Select Committee on the part of each House, to wait on his Excellency, the Governor, and inform him of the action of the General Assembly, in

refusing to adjourn, and their readiness to receive any communication he may have to make.

The proposition was concurred in; and Messrs. Boyd and Mitchell appointed said committee on the part of the Senate.

Received a message from the House of Commons, informing that Messrs. S. P. Hill and J. A. Caldwell form their branch of the committee to wait on the Governor.

A message was received from the House of Commons, proposinn to vote this day at half-past 11 o'clock, for an engrossing Clerk.

Concurred in; and Messrs. Arendell and Drake appointed superintendents of said election, on the part of the Senate, and the House of Commons informed thereof.

Mr. Boyd, from the committee appointed to wait on his Excellency, the Governor, and inform him of the readiness of the Legislature to receive any communication he may have to make, reported, that the committee had performed the duty assigned them, and received for answer, that he would make a communication to both Houses of the Legislature on Thursday next, at 12 o'clock.

Mr. Washington presented the pension certificate of Alexander Taylor, which was read, and, on his motion, ordered to be signed by the Speaker of the Senate, and transmitted to the House of Commons.

Mr. Washington introduced a bill for the better administration of justice in the Courts of Pleas and Quarter Sessions of this State, which was read the first time and passed, and on his motion, referred to the Committee on the Judiciary, and ordered to be printed.

Received from the House of Commons, the resignation of Andrew Little, a Justice of the Peace, of Union county, which was read and accepted.

On motion of Mr. Hoke,

Resolved, That the Committee on Finance be instructed to enquire into the expediency of the passage of an act requiring the Public Treasurer to have *coupons* attached to all the bonds of the State hereafter issued by him, under authority of any act of Assembly now in force, or which may hereafter be passed.

Received from the House of Commons, a message, stating that Messrs. Wynne and Walton are appointed their branch of the committee to superintend the election of engrossing Clerk, and that the House would proceed to vote on the return of the messenger.

Whereupon, under the superintendence of Messrs. Drake and Arendell, the Senate voted as follows :

FOR MR. JENKINS.

Messrs. Speaker, Barrow, Bower, Boyd, Caldwell, Clark, Collins, Cunningham, Drake, W. Jones, Person, Shaw, Thomas, and Withers—14,

FOR MR. HARRIS.

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, Hargrave, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson, Washington, Willey and Woodfin—23.

FOR MR. HOUSTON.

Messrs. Berry, Brogden, Bunting, Cannady, Herring, Hoke, Kerr, McMillan, McDowell, Murchison, Speight and Ward—12.

Mr. Boyd introduced the following resolution, viz :

Resolved, That the Comptroller report to this House, a tabular statement of the public taxes paid into the Treasury of the State, by the citizens thereof, for the years 1848, '49, '50, '51 and '52: that he set forth in such report the aggregate amount of public taxes paid into the public treasury, in the five years aforesaid.

Also, the average amount paid by each County in this State. And that he further set forth in such report, the aggregate amount paid; also, the average amount paid by each County in the State, created since the last five years, as aforesaid. On motion of Mr. Boyd, the said Resolution was laid on the table.

Mr. Drake, from the Committee appointed to superintend the election of Engrossing Clerk, reported, that Mr. Harris received 86 votes, Mr. Jenkins 51 votes, and Mr. Houston 31 votes; that Mr. Harris having received a majority of the whole number of votes given, is duly elected. Concurred in.

On motion of Mr. Bynum, the resolution this day introduced by Mr. Boyd, calling on the Comptroller of public accounts for information relative to the amount of taxes paid into the Treasury for certain years therein mentioned, was now taken up and passed.

Mr. T. F. Jones, introduced the following Resolutions, which were referred to the Committee on the Judiciary, viz:

Whereas, by the amended Constitution of the State article 2, section 7th, the General Assembly shall meet biennially; and whereas by an act of Assembly, chapter 52, section 25, it is declared, the meeting of the General Assembly shall be biennially on the third Monday in November, Therefore,

Resolved, That it is inexpedient to repeal the said statute, chapter 52, section 25.

Resolved, That it is inexpedient to pass a statute fixing the first Monday of October for the biennial meeting of the General Assembly.

Resolved, That the convocation of the General Assembly, by his Excellency, the Governor, by virtue of the power in him vested by law, and upon an extraordinary occasion, does not constitute, within the meaning and contemplation of the Constitution, a session of the General Assembly.

On motion of Mr. Clark, the Senate adjourned until tomorrow morning, 11 o'clock.

WEDNESDAY, OCT. 13th, 1852.

Received a message from the House of Commons, informing that their branch of the Joint Committee on Finance consists of Messrs. Cherry, Dobbin, Smith, Norfleet, Walters, Wheeler, W. J. Long and Durham;

And that Messrs. Wiley, Sharp and J. Turner constitute the House branch of the Joint Committee on the Library.

Also, a message from the House of Commons transmitting the following engrossed bill and resolutions, in which they ask the concurrence of the Senate, viz:

A bill to repeal in part the 25th section of the 25 chapter of the revised statutes;

A Resolution in favor of Perrin Busbee; and

A Resolution in favor of Seaton Gales.

The said bill was read the first time and passed : and, on motion of Mr. Mitchell, referred to the Committee on the Judiciary.

The Resolution in favor of Perrin Busbee was read the first time and passed : and, on motion of Mr. Bower, the rules were suspended, and said resolution read the second and third times, passed and ordered to enrollment.

The Resolution in favor of Seaton Gales was read the first time and passed ; and, on motion of Mr. Washington, the rules were suspended, and the resolution read the second and third times, passed and ordered to enrollment.

Received a message from the House of Commons, proposing to raise a Joint Select Committee, to be called "the Committee on Apportionment ;" to consist of nine members from each House, to whom shall be referred the subjects of the Electoral Districts, the Senatorial Districts, the apportionment of the House of Commons, according to the ratio of representation, and the dividing the State into eight Congressional Districts—the number of representatives apportioned to the State of North Carolina, under the last seventh enumeration of the inhabitants of the United States. On motion of Mr. Thompson, ordered, that said message be laid upon the table.

Mr. Gilmer introduced a bill to incorporate the Greensborough mining company, which was read the first time and passed ; and, on motion of Mr. Clark, referred to the Committee on Corporations.

Mr. Boyd introduced the following Resolution, viz :

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of one member from each Judiciary District, to whom be referred the arrangement of the Senatorial Districts, and the apportionment of the House of Commons.

Which said resolution, by consent, was laid upon the table.

On motion of Mr. Joyner, the Senate now took up the message from the House of Commons proposing to raise a Joint select Committee to be called the Committee on apportionment, &c.

The question of concurrence in said message being put, was decided in the negative, ayes 6, noes 40.

Mr. Brogden demanded the ayes and noes.

Those who voted in the affirmative, are :

Messrs. Bower, Brogden, Cannady, Collins, Murchison and Speight.

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Barrow, Berry, Boyd, Bunting, Bynum, Caldwell, Clark, Cowper, Cunningham, Drake, Gilmer, Hargrave, Herring, T. F. Jones, Wesley Jones, Joyner, Kelly, Kerr, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Palmer, Parks, Person, Richardson, Shaw, Steele, Thomas, Ward, Washington, Withers, Willey and Woodfin.

So the Senate refused to concur.

The Resolution of Mr. Boyd, proposing to raise a Joint Select Committee of one member from each Judicial District, to whom shall be referred the arrangement of the Senatorial Districts and the apportionment of the House of Commons, was now taken up and passed.

On motion of Mr. Thompson,

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of nine on the part of the Senate and nine on the part of the House of Commons, to whom shall be referred the subject of apportioning the State into eight Congressional Districts.

On motion of Mr. Boyd,

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of two on the part of each House, whose duty it shall be to prepare or cause to be prepared, a skeleton map of the State, dividing the same into counties, with the federal population of each county, agreeable to the last census, and the average amount of taxes paid by each county, as reported by the Comptroller, laid down thereon.

On motion of Mr. Lillington,

The Senate now adjourn until to-morrow morning, at 11 o'clock.

THURSDAY, Oct. 14th, 1852.

Mr. Woodfin, from the Committee on the Judiciary, to whom was referred a bill to repeal in part the 25th section of the 53d chapter of the revised statutes, reported the same back to the Senate, and recommended its rejection.

Ordered to lie on the table.

On motion of Mr. Brogden,

Resolved, That the Public Tresurer be directed to directed to report to the Senate the whole amount of stock held by the State in incorporated companies, specifying the amount in each company, and the fund to which it belongs. That he further report the amount of dividends or profits, if any, received by the State from stock held in each of said companies since the investments were made. That the Treasurer be further directed to report all the debts for which the State is now bound, either as principal or security, and when and how each debt or liability was created.

On motion of Mr. Boyd, the vote on the passage of the resolution proposing to raise a Joint Select Committee of one member from each Judicial District, to whom shall be referred the arrangement of the Senatorial Districts, and the apportionment of the House of Commons, was reconsidered; and, on his motion, amended by inserting, in the third line, the words, "*on the part of each House.*"

The question now recurring on the adoption of the resolution, as amended, passed in the affirmative.

Mr. Bower introduced a bill to confirm the establishment of the county of Yadkin, which was read the first time and passed, and, on his motion, referred to the Committee on the Judiciary.

Mr. Woodfin, from the Committee on the Judiciary, to whom was referred certain resolutions respecting biennial sessions of the Legislature, and the convocation of the present General Assembly, reported the same back to the Senate, and asked to be discharged from the further consideration thereof. Discharged accordingly.

Mr. Woodfin, offered the following resolution, viz:

Be it Resolved by the General Assembly of North Carolina, That the two Houses do adjourn on the 15th of October, instant, to meet again on the third Monday of November next.

The question on the adoption of said resolution was decided in the negative—Ayes 19, noes 29.

Mr. Steele demanded the ayes and noes.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Murray, Palmer, son, Thompson, Washington, Willey, and Woodfin.

Those who voted in the negative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Canady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Mitchell, Murchison, Parks, Person, Shaw, Speight, Steele, Thomas, Ward and Withers.

Mr. Bynum introduced a bill to encourage the investment of capital for mining and manufacturing purposes, which was read the first time and passed, and, on his motion, referred to the Committee on Corporations, and ordered to be printed.

Mr. Lillington introduced the following resolution, viz

Resolved, That a message be sent to the House of Commons, proposing that the two Houses of the General Assembly adjourn *sine die* on the first Monday in December next.

Mr. Thomas moved to lay the said resolution on the table, which was disagreed to, ayes 21, noes 25.

Mr. Lillington demanded the ayes and noes.

Those who voted in the affirmative are :

Messrs. Barrow, Berry, Boyd, Bunting, Caldwell, Cannady, Clark, Drake, Hargrave, Herring, Hoke, W. Jones, Kelly, Kerr, McMillan, Murray, Speight, Steele, Thomas, Ward and Withers.

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Bower, Brogden, Bynum, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner, Lane, Lillington, McClees, McDowell, Mitchell, Murchison, Palmer, Parks, Richardson, Shaw, Thompson, Washington, Willey and Woodfin.

The question now recurring on the adoption of the Resolution, was determined in the affirmative—ayes 33 noes 13.

Those who voted in the affirmative are :

Messrs. Albright, Albritton, Arendell, Berry, Bower, Brogden, Bynum, Cannady, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner, Kerr, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murchison, Murray, Palmer, Parks, Richardson, Shaw, Speight, Thomas, Thompson, Washington, Withers, Willey and Woodfin.

Those who voted in the negative are :

Messrs. Barrow, Boyd, Bunting, Caldwell, Clark, Drake, Hargrave, Herring, Hoke, Wesley Jones, Kelly, Steele and Ward.

On motion of Mr. Thomas,

Resolved, That the third section of the Resolution relating to the State Capitol, passed at the session of the General Assembly of 1846-47, be so amended as to permit the Engrossing Clerks to have a bed in their room during the present session.

Received a message from the House of Commons, transmitting the message of his Excellency, the Governor, and

accompanying documents, with a proposition to print ten copies of the message for each member of the two Houses.

The message was read and the proposition to print agreed to.

Mr. Bynum introduced the following resolution, which, on his motion, was laid on the table and ordered to be printed, viz :

Resolution concerning the Supreme Court :

Resolved, That the Committee on the Judiciary be instructed to prepare and report a bill providing, 1st., for dividing the State into ten Judicial Districts, and assigning to the three additional districts, the present Judges of the Supreme Court ; 2d, for the abolishing all the jurisdiction now possessed and exercised by the present Judges of the Supreme Court, and conferring the same upon the ten Judges of the Superior Courts of Law and Equity—said tribunal to be styled the Supreme Court of North Carolina.

On motion of Mr. Steele, the Senate adjourned until to-morrow morning, at 11 o'clock.

FRIDAY, October 15th, 1852.

The Speaker laid before the Senate a communication from the Comptroller of public accounts, accompanied by a report, in answer to a call of the Senate, showing the

amount of taxes received by the State, for the years 1847, '48, '49, '50 and 51.

On motion of Mr. Gilmer,

Ordered, That the same be sent to the House of Commons, with a proposition that said report be printed, one copy for each member of the Legislature.

Mr. Washington introduced a bill to amend an act passed at the session of 1850-'51, entitled an act to regulate the pay of jurors and witnesses in the county of Craven, which was read the first time and passed; and, on his motion, referred to the Committee on the Judiciary.

Received a message from the House of Commons, transmitting the following engrossed bill, in which they ask the concurrence of the Senate, viz :

"A bill to amend an act, entitled an act to incorporate the Cape Fear and Deep River Steamboat Company."

The said bill was read the first time and passed; and

On motion of Mr. Murchison, the rules were suspended, and the bill read the second and third times, passed and ordered to enrollment.

Also, a message concurring in the proposition of the Senate to raise a Joint Select Committee of two on the part of each, to cause a skeleton map to be prepared, dividing the same into counties, &c.;

And informing that Messrs. Amis and McNeil form the House branch of the committee on the subject.

Whereupon, Messrs Boyd and Willey were appointed the committee on the part of the Senate.

The Senate now took up for consideration the engrossed bill, to repeal in part the 25th section of the 52d chapter of the revised statutes.

Whereupon, on motion of Mr. Bynum, the further consideration of the same was postponed to the first Monday in November next, and made the special order for that day.

On motion of Mr. Caldwell,

The Senate adjourned until to-morrow morning, at 11 o'clock.

SATURDAY, OCT. 16th, 1852.

Received a message from the House of Commons, proposing to raise a Joint Select Committee of five on the part of the House, and three on the part of the Senate, to be called "the Committee on Swamp Lands," with power to send for persons and papers.

On motion of Mr. Clark,

Ordered, That said message be laid on the table.

Also, a message proposing to raise a Joint Select Committee of six on the part of the House, and three on the part of the Senate, to enquire into the expediency of either

amending or revising the militia laws of this State, or abolishing the same altogether.

The proposition was concurred in; and Messrs. Person, Bynum, and Clark appointed the committee on the part of the Senate, and the House of Commons informed thereof.

Also, a message agreeing to the proposition of the Senate to raise a Joint Select Committee of nine on the part of each House, on the apportioning the State into Congressional Districts, and informing that Messrs. Stubbs, Brooks, Wheeler, Fagg, W. Long, Cook, W. E. Hill, Goodwin and Marshall, constitute their branch of the committee on the subject.

Whereupon. Messrs. Thompson, Caldwell, Thomas, Mitchell, Berry, Lane, McDowell, Drake and Washington, were appointed the committee on the part of the Senate.

Received a message from the House of Commons, concurring the proposition of the Senate to raise a Joint Select Committee of one from each Judicial Circuit, on the part of each House, for the arrangement of the Senatorial Districts, and Apportionment of the House of Commons, and informing that Messrs. Puryear, Wilder, Albertson, D. Reid, Erwin, McEntire and Scales, form their branch of the committee on the subject.

Whereupon, Messrs. Boyd, Joyner, Bower, Bunting, Woodfin, Brogden and Willey, were appointed the committee on the part of the Senate.

Received from the House of Commons, the resignation of Daniel A. Leach, a Justice of the Peace of Montgomery county, which was read and accepted.

On motion of Mr. Washington,

Resolved, That a message be sent to the House of Commons, proposing to print such of the documents accompanying the message of his Excellency, the Governor, as have not been heretofore printed, with the exception of the memorial of the Common Council of Philadelphia, the resolutions of New Hampshire, the resolutions of Florida, and the resolutions of Connecticut.

On motion of Mr. Boyd,

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of two on the part of each House, to prepare and report to the House a tabular statement of the population of North Carolina, contained in the several counties, agreeable to the last census, and the federal population contained in each county.

Mr. Caldwell introduced the following resolution, which was adopted, viz :

WHEREAS, by the terms of the charter, incorporating "the North Carolina Railroad Company," the State of North Carolina cannot appoint, and be represented, by directory in said company, until the individual stockholders have paid in, on their stock, five hundred thousand dollars ;

WHEREAS, instalments on said individual subscriptions, to the amount of five hundred thousand dollars, have been called for, and, as alleged, more than four hundred and and twenty thousand dollars thereof already paid in ;

AND WHEREAS, owing to the probable, if not certain, increase on the price of railroad iron, it may be greatly to the interest of the State, that she should be at once represented in said company :

Resolved, That the Committee on Internal Improvements, be instructed to confer with the Governor, to enquire, what, on this behalf, is best to be done for the interest of the State, and that they report by bill or otherwise.

Mr. Clark now moved to take up the message from the House of Commons, proposing to raise a Joint Select Committee on Swamp Lands, which was agreed to, and said message concurred in, and the House of Commons informed that Messrs. Joyner, Hoke, and T. F. Jones constitute the Senate's branch of the committee on the subject.

Mr. Gilmer offered the following resolution, viz :

Resolved, That the Committee on Privileges and Elections, be instructed to enquire whether Henry M. Shaw, a member of this House, was duly elected by a majority of votes cast for Senator, for the district composed of the counties of Currituck and Camden, at the election in August last, and that said committee report to this House whether said Shaw is entitled to his seat as a member of the Senate, from said district, together with the facts on which they base their opinion.

Pending the consideration of the resolution,

On motion of Mr. Lillington,

The Senate adjourned until Monday morning, at 10 o'clock.

MONDAY, OCT. 18th, 1852.

Messrs. Cunningham, Cowper and Barrow, constitute the Senate's branch of the Committee on Enrolled bills for the present week.

Mr. Kelly introduced a bill abolishing the trial by Jury in the County Courts, and for the more speedy and cer.

tain administration of Justice, which was read the first time and passed, and on his motion, referred to the Committee on the Judiciary, and ordered to be printed.

On motion of Mr. Bower,

Resolved, That so much of the Governor's Message as relates to the arrangement of the Senatorial Districts, and apportionment of the House of Commons, be referred to the Committee on Senatorial Districts and apportionment.

That so much of the Governor's Message as relates to the laying off the Congressional Districts, be referred to the Committee on Congressional Districts.

That so much of the Governor's Message as relates to internal improvement be referred to the Committee on Internal Improvements.

That so much of the Governor's Message as relates to the public revenue be referred to the Committee on Finance.

That so much of the Governor's Message as relates to the formation of one or two Judicial circuits be referred to the Committee on the Judiciary.

Mr. Lillington, introduced a resolution in favor of James R. Dodge, which was read the first time and passed, and on his motion, referred to the Committee on Claims.

Mr. Murchison, introduced a bill to appoint some discreet person to take the list of taxable property in the respective Counties, which was read the first time and passed, and, on his motion, referred to the committee on Finance.

On motion of Mr. Mitchell,

Resolved, That the Committee on internal improvements enquire into the expediency of a subscription by the State of a portion of the Stock in the Yadkin Navigation Company, that they report by bill or otherwise.

On motion of Mr. T. F. Jones,

Resolved, That the use of the Senate Chamber be tendered from and after 2 o'clock this day to the Delegates Assembled in this City for the organizing a State agricultural society.

On motion of Mr. Thompson,

Resolved, That a message be sent to the House of Commons proposing to print a list of the members of the Joint and Standing Committees of each House, one copy for each member of the Legislature.

Received from the House of Commons the resignation of Samuel Vines, a Justice of the peace of Pitt County, which was read and accepted.

Received a message from the House of Commons informing that Messrs. Gaither, Martin, Eure, Whitehurst and Phelps, constitute their branch of the Committee on enrolled bills for the present week.

Mr. Steele introduced a bill to alter the mode of taking the lists of taxable property, which was read the first time and passed, and on his motion, referred to the Committee on Finance.

The Senate now proceeded to the consideration of the unfinished business of yesterday, viz: The resolution instructing the Committee on Privileges and Elections to en-

quire whether Henry M. Shaw was duly elected in the Senatorial District composed of Camden and Currituck counties, &c: Whereupon, on motion of Mr. Person, the further consideration of the same was postponed until to-morrow, 12 o'clock, and made the special order of the day for that hour.

On motion of Mr. Gilmer, the Senate adjourned until to-morrow morning, 11 o'clock.

TUESDAY, OCT. 19th, 1852.

On motion of Mr. McDowell,

Resolved, That so much of the Governor's Message as relates to amendments to the Constitution, be referred to a select committee, consisting of five members.

On motion of Mr. Bynum,

Resolved, That so much of the Governor's Message as relates to the Geological and Agricultural survey of the State be referred to a select Committee of five.

Received a message from the House of Commons, agreeing to the proposition of the Senate to print a list of the standing and Joint Committees of each House.

Also, informing that Messrs. Cherry, Corbett, Jones, Furr and W. H. Lyon form their branch of the Joint Select Committee on Swamp Lands.

Also, that their branch of the Select Committee on a tabular statement of the population, &c., consists of Messrs. Waugh and Whitehurst.

Also, a message informing that Messrs. Webb, Hawkins, McDugal, Bryant, Teague and Pegram, constitute the House branch of the committee on revising or abolishing the militia laws.

Also, a message agreeing to print the documents accompanying the Governor's Message, as proposed by the Senate.

Mr. Bynum presented a memorial from sundry citizens of McDowell county, praying the passage of an act for running the dividing line between the counties of McDowell and Rutherford; which, on motion, was referred to the Committee on Propositions and Grievances.

Mr. Bower presented a bill, accompanied by a memorial to lay off and establish a new county out of a portion of the county of Ashe: which was read the first time and passed; and, on motion, referred to the Committee on Propositions and Grievances.

The Senate now proceeded to the consideration of the special order, being the resolution instructing the Committee on Privileges and Elections to enquire whether Henry M. Shaw was duly elected Senator for the district composed of the counties of Camden and Currituck, &c.

Mr. Clark rose to a point of order, and insisted that the resolution now under consideration was identically the same with an amendment to a resolution heretofore offered by Mr. Hoke and rejected, and that another of the same kind could not be entertained.

The Speaker overruled the point of order.

Whereupon the question recurred on the adoption of the resolution.

Mr. Hoke moved that the same be laid upon the table ; and the question being put thereon, was carried in the affirmative—ayes 22, noes 19.

Mr. Hoke demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barrow, Bower, Berry, Boyd, Brogden, Bunting, Cannady, Clark, Collins, Cunningham, Drake, Herring, Hoke, W. Jones, Kerr McDowell, Murchison, Person, Spright, Thomas, Ward, and Withers,

Those who voted in the negative are,

Messrs. Albritton, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson and Willey.

On motion of Mr. Steele,

Resolved, That a select committee of nine, one from each Congresssional District, be raised on the part of the Senate, upon the subject of agriculture.

Mr. Mitchell introduced a bill to expedite the trial of suits in certain cases, in the Courts of law ; which was read the first time and passed.

On motion of Mr. Hoke, the Senate adjourned until to-morrow morning, 11 o'clock.

WEDNESDAY, OCT. 20th, 1852.

A message was sent to the House of Commons, informing that Messrs. Boyd and Palmer form the Senate branch of the Committee on Tabular Statements, &c.

The Speaker announced that Messrs. Bynum, Person, Murchison, Albright and Arendell compose the committee on so much of the Governor's Message as relates to a Geological and Agricultural Survey of the State.

— And, that Messrs. McDowell, Hoke, Lillington, Joyner and Cannady constitute the committee on so much of the Governor's Message as relates to amendments of the Constitution.

— And, that the Committee on Agriculture consists of Messrs. Steele, Cunningham, Parks, Woodfin, Boyd, Clark, McMillan, Speight and Cowper.

Mr. Kelly introduced a bill to regulate the salary of the Attorney General and Solicitors, and for other purposes : which was read the first time and passed ; and, on motion, referred to the Judiciary Committee, and ordered to be printed.

Mr. Hoke introduced a bill to establish a road in Catawba county, which was read the first time and passed.

On motion of Mr. Hoke, the Senate now took up for consideration, the resolution which was yesterday laid on the table, instructing the Committee of Privileges and Elections to enquire whether Henry M. Shaw was duly elected and entitled to a seat in the Senate from the District composed of the counties of Camden and Currituck.

After debate, Mr. Thomas moved that the Senate adjourn until to-morrow morning, 11 o'clock ; which motion was not agreed to.

The question being on the adoption of the resolution, Mr. Hoke moved that the same be indefinitely postponed ; but before the question was taken,

On motion of Mr. Gilmer, the Senate adjourned until tomorrow morning, 11 o'clock.

THURSDAY. OCT. 21st, 1852.

Mr. Lillington introduced a bill to amend the charter of the town of Salisbury; which was read the first time and passed.

Mr. Palmer introduced a bill to give exclusive jurisdiction to the Superior Courts for the county of Stanly; which was read the first time and passed; and, on motion, referred to the Committee on the Judiciary.

Mr. Steele introduced a bill to amend the 33d section of the Constitution of this State; which was read the first time and passed, and, on motion, referred to the Committee on Amendments to the Constitution.

Received from the House of Commons a message transmitting the pension certificate of Ann Patterson, which was read and ordered to be countersigned by the Speaker of the Senate.

Received a message from the House of Commons, transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz:

“A bill to incorporate the North Carolina Mining Company: and

A bill to incorporate the Trustees of Buena Vista Academy in the county of Iredell; which said bills were read the first time and passed, and, on motion, referred to the Committee on Corporations: also,

A bill to pay the tales jurors in the counties of Rutherford and Yancy the same compensation as is now paid to jurors of the regular panel; which was read the first time and passed.

Mr. Thompson introduced a bill to repeal an act passed at the session of 1850 and 1851, entitled an act to establish a new county by the name of Jackson; which was read the first time and passed.

Received a message from the House of Commons, transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz:

A bill to incorporate Columbus Academy, near the town of Whitesville, Columbus county:

A bill to incorporate the 'True Brothers' Society in the town of Wilmington: and

A bill to incorporate the Guilford County Mining Company: which said bills were read the first time and passed; and, on motion, referred to the Committee on Corporations: also,

A bill to provide for paying tales jurors in the county of Halifax:

A bill to pay tales jurors in the county of Columbus the same compensation as is now paid to jurors of the regular panel: and

A bill to amend an act of the revised statute, chapter 59th, entitled an act for establishing public landings and places of inspection, and for the appointment of inspector, and regulation of inspections which said bills were severally read the first time and passed.

On motion of Mr. Cowper,

Resolved, That the Committee on the Senatorial Districts, be instructed to examine the different returns made by the several sheriffs of this State, of the public taxes paid into the public treasury, for the years 1847, '48, '49, '50 and 1851, and that they compare the same with the report made by the Comptroller of State, the 8th October, 1852, and that they report such examination to the Senate.

Mr. Barrow introduced a bill to alter the name of the county seat of Stokes county; which was read the first time and passed.

The bill to expedite the trial of suits in certain cases, in the Courts of law, was read; and, on motion of Mr. Hoke, referred to the Committee on the Judiciary.

The bill to establish a road in Catawba county, was read the second time and passed; and, on motion of Mr. Hoke, the rules were suspended, and said bill read the third time, passed and ordered to be engrossed.

Mr. Boyd, from the Select Committee, to whom was referred the duty of procuring a skeleton map of the State, &c., reported, that the committee had procured a map, showing the relative position of the several counties in the State, the federal population, and the average amount of taxes paid by each county, as ascertained from the official report of the Comptroller; and recommended that ten copies be printed for the use of the members of the Legislature.

Mr. Steele moved to amend the report by striking out *ten*, and inserting one copy for each member of the Legislature; which was agreed to, and the report, as amended, concurred in.

Mr. Boyd from the Committee on *Tabular Statements*, made a report on the subject ; which, on motion of Mr. Joyner, was laid on the table.

The Senate now resumed the consideration of the unfinished business of yesterday, being the resolution instructing the Committee on Privileges and Elections to enquire whether Henry M. Shaw was duly elected to a seat in Senate from the Camden and Currituck District.

Whereupon, on motion of Mr. T. F. Jones, the further consideration of the same was postponed until to-morrow, 12 o'clock.

On motion of Mr. Woodfin, the Senate adjourned until to-morrow morning, 11 o'clock.

FRIDAY, OCT. 22d, 1852.

Received a message from the House of Commons proposing that the Secretary of State be directed to transmit forthwith to the Sheriffs of each County in the State a copy of the act passed at the present session of the Legislature for laying off the State into Electoral Districts for the election of Electors to vote for President and Vice President of the United States, &c.

Which proposition was concurred in, and the House of Commons informed thereof.

Received a message from the House of Commons, transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz:

A bill to incorporate the Hillsboro' Coal Mining and Transportation Company: and

A bill to incorporate the Greensboro' Mutual Life Insurance and Trust company: which were read the first time and passed; and on motion of Mr. Clark, referred to the Committee on Corporations.

Mr. Clark from the Committee on corporations, reported a bill conferring corporate powers on associations for the purposes of benevolence and charity and for the promotion of education: which was read the first time and passed; and, on motion, ordered to be printed.

On motion, Mr. Caldwell was excused from further service on the Senate's branch of the committee on the arrangement of Congressional Districts.

The bill to provide for paying tales jurors in the county of Halifax was now taken up, amended, on motion of Mr. Drake, by extending its provisions to the county of Nash, and passed its second reading as amended.

The bill to pay tales jurors in the counties of Rutherford and Yancy was read the second time, and on motion of Mr. Gilmer, ordered to be laid on the table.

The bill to pay tales jurors in the county of Columbus was read the second time and passed.

The bill to repeal an act passed at the session of 1850 and 1851 entitled an act to establish a new county by the name of Jackson, was read the second time.

Mr. Thomas moved that said bill be laid on the table, on a division the vote being yeas 18, nays 18, the Speaker voted in the affirmative, and the motion prevailed.

M. Steele introduced a bill to make certain bonds of this State transferable, which was read the first time and passed; and on motion referred to the Committee on Finance.

The bill to alter the name of the county seat of Stokes county, was read the second time and passed.

The hour of 12 o'clock having arrived, the Senate proceeded to consider the special order, being the resolution of Mr. Gilmer, instructing the committee on privileges and elections to enquire whether Henry M. Shaw was duly elected and entitled to a seat in the Senate from the District composed of the Counties of Camden and Currituck.

The question being on the indefinite postponement of the resolution, was decided in the affirmative ayes 23, noes 20.

Mr. Hoke demanded the ayes and noes.

Those who voted in the affirmative are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Herring, Hoke, W. Jones, Kerr, McDowell, Murchison, Person, Speight, Thomas, Ward and Withers—23.

Those who voted in the negative are :

Messrs. Albright, Albritten, Arendell, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson, Willey and Woodfin—20.

So the resolution was indefinitely postponed.

Mr. Steele moved to reconsider the vote of yesterday, by which the report of the Committee for procuring a skeleton map of the State, was concurred in: which motion was carried; the amendment to said report was then reconsidered and disagreed to, and the report concurred in.

Mr. Thompson now moved to take up the bill to repeal an act passed at the session of 1850 and 1851, entitled an act to establish a new county by the name of Jackson, which motion was agreed to, and, said bill, made the special order for to-morrow, 12 o'clock.

The engrossed bill to amend an act of the revised statute chapter 59th, entitled an act for establishing public landing and places of inspection, &c., was read the second time and passed.

Mr. Woodfin from the Committee on the Judiciary, reported favorably the bill to give exclusive jurisdiction to the Superior Courts for the county of Stanly, which was read the second time and passed; and, on motion of Mr. Palmer, the rules were suspended, and said bill read a third time, passed, and ordered to be engrossed.

On motion of Mr. Lillington, the Senate adjourned until to-morrow morning, 11 o'clock.

SATURDAY, OCT. 23d, 1852.

The Speaker announced that Mr. Hoke was appointed one of the committee on the arrangement of the Congressional Districts, in place of Mr. Caldwell who was excused from further service on the same.

Mr. Drake from the Committee on Claims, to whom was referred a resolution in favor of James R. Dodge, reported the same back to the Senate and recommended its passage.

The said resolution was read the second time and passed.

Mr. Clark, from the Committee on Incorporations, to whom several bills of incorporation was referred, made a report thereon, which, on motion, was ordered to be laid on the table.

Mr. McDowell introduced a bill for the better administration of justice, which was read the first time and passed; and, on motion, referred to the Committee on the Judiciary.

Mr. Bower introduced a bill to repeal the proviso to the 9th section of the 42d chapter of the revised statutes; which was read the first time and passed.

The bill to alter the name of the county seat of Stokes county; was read the third time, passed and ordered to be engrossed.

The engrossed bill to amend an act of the revised statute, chapter 59th, entitled an act for establishing public landings and places of inspection, and for the appointment of In-

spector and regulations of inspections; was read the third time, passed and ordered to be enrolled.

The hour of 12 o'clock having arrived, the Speaker announced the order of the day, being the bill to repeal an act passed at the session of 1850-'1851, entitled an act, to establish a new county by the name of Jackson; and the same being read, on motion of Mr. Bower, was laid upon the table. On motion of Mr. Cunningham, the bill was subsequently taken up.

After some time spent in debate, Mr. Thomas moved that the further consideration of the same be postponed until 12 o'clock on Monday next.

When, on motion of Mr. Hoke, it was ordered to be laid on the table.

Mr. Clark from the Committee on Corporations, to whom was referred the engrossed bill to incorporate the Hillsboro' Coal Mining Transportation Company, reported the same back to the Senate without amendment.

The bill was read the second time and passed: and, on motion of Mr. Gilmer, the rules were suspended, and said bill read the third time, passed and ordered to enrollment.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of that body, viz:

" A bill to give exclusive jurisdiction to the Superior Courts for the county of Stanly: and

A bill to establish a road in Catawba county.

On motion of Mr. Hoke, the Senate adjourned until Monday morning, 11 o'clock.

MONDAY, OCT. 25th, 1852.

The Speaker announced that Messrs. Murray, Ward and Herring constitute the Senate's branch of the Committee on Enrolled Bills, the present week.

Mr. McDowell introduced a bill to amend the Constitution of North Carolina : which was read the first time and passed ; and, on motion, referred to the Committee on Amendments to the Consitution.

Mr. Joyner introduced a bill concerning the Seaboard and Roanake Railroad Company ; which was read the first time and passed, and, on motion, referred to the Committee on Internal Improvements.

On motion of Mr. Boyd, the report of the Joint Select Committee to prepare a tabular statement of the population of the State, &c., was taken up ; when Mr. Boyd submitted a substitue for said report ; which, on his motion, was ordered to be laid on the table and printed.

Mr. Bower introduced a bill, accompanied by a memorial, to provide for the improvement of the road from Riddie's river to the Tennessee line ; which, was read the first time and passed ; and, on motion, referred to the Committee on Internal Improvements.

The bill to repeal the proviso to the 9th section of the 42d chapter of the revised statutes, was read the second time ; and, on motion of Mr. Steele, referred to the Committee on Finance.

The resolution in favor of James R. Dodge, was read the third time and, on motion of Mr. Thomas, ordered to be laid on the table.

The bill conferring corporate powers on associations for purposes of benevolence and charity ; and for the promotion of education, was read the second time and passed.

Mr. Steele moved that the Senate do now take up for consideration, the bill for the repeal of Jackson county ; which motion was agreed to, and said bill made the order of the day for to-morrow, 12 o'clock.

On motion of Mr. Woodfin, the Senate adjourned until to-morrow morning, 12 o'clock.

TUESDAY, OCT. 26th, 1852.

Received a message from the House of Commons, transmitting the following engrossed bill and resolution, in which they ask the concurrence of the Senate, viz :

“ A bill to attach a portion of the county of Wilkes to the county of Alexander : and

A resolution for furnishing the two Houses.

The said bill and resolution were read the first time and passed.

Also, a message stating that the Committee of the House on Enrolled Bills for the present week, consists of Messrs. Blow, Ellis, T. Bynum, W. Turner and Wood.

Received, also, from the House of Commons, the resignation of Samuel Howard, a Justice of the Peace of Le-noir county ; which was read and accepted.

Sent a message to the House of Commons, informing that the Senate had passed the following engrossed bill, viz :

“ A bill to alter the name of the county seat of Stokes county,” in which they ask the concurrence of that House.

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the order of the day, being the bill to repeal the act, entitled an act to establish a new county by the name of Jackson.

Mr Caldwell moved that said bill be referred to a select committee to consider and report thereon.

Which motion was disagreed to—Ayes 18, noes 24.

After debate, on motion of Mr. Brogden, the further consideration of the subject was postponed until to-morrow, 12 o'clock, and made the special order of the day for that hour.

Mr. Brogden introduced the following resolutions, which were unanimously adopted, viz :

Resolved, That we have heard with emotions of regret, of the death of Daniel Webster, one of the ablest statesmen of the age in which he lived, and who has acted a distinguished and important part in the public affairs of this country during the last thirty years.

Resolved, That as a mark of respect for the character and public services of Mr. Webster, this Senate do now adjourn.

Whereupon; on motion of Mr. Caldwell,

The Senate adjourned until to-morrow morning, at 11 o'clock.

WEDNESDAY, October 27th, 1852.

Mr. Brogden introduced a bill to extend the time for registering grants, mesne conveyances, powers of attorney bills of sale and deeds of gift :

Which was read the first time and passed ; and, on motion, was referred to the Committee on the Judiciary.

Received a message from the House of Commons, transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz :

A bill to authorise the County Courts of Duplin to sell a part of the public lands in Duplin county ;

A bill to amend an act to incorporate the Washington Mining Company, passed in the year 1838-9, and amended in the year 1850-'1 ;

A bill to amend an act, entitled an act providing for keeping a record of marriages in this State, passed at the session of 1850-'51, chapter 84 ;

A bill to amend an act passed by the General Assembly, at the session of 1850-'51, entitled an act to incorporate the Fayetteville and Centre Plank Road company ;

And a bill to incorporate the Burnsville Division of the Sons of Temperance, No. 209 :

Which said bills were severally read the first time and passed.

The bill conferring corporate powers on associations for purposes of benevolence and charity, and for the promotion of education, was read the third time, passed and ordered to be engrossed.

On motion of Mr. Lane, leave of absence was granted to Mr. Joyner, from and after to day, until Tuesday next.

On motion of Mr. Drake, the resolution in favor of Jas. R. Dodge was taken up, read the third time, passed and ordered to be engrossed.

On motion of Mr. Lillington, the engrossed resolutions, for furnishing the two Houses, were taken up, and, on his motion, amended, by inserting in the second resolution, after the words, "alterations and improvements," the following, *in the Hall of the House of Commons*; and by adding after the words, therein specified, in same resolution, the words, "*be and the same is hereby appropriated.*"

The question on the adoption of the resolutions, the second reading, as amended, passed in the affirmative; ayes 27, noes 15.

Mr. Bower demanded the ayes and noes.

Those who voted in the affirmative are.

Messrs. Albright, Arendell, Bunting, Caldwell, Cowper, Cunningham, Herring, Hoke, T. F. Jones, W. Jones, Kelly, Lane, Lillington, McClees, McDowell, Mitchell, Murchison, Palmer, Parks, Richardson, Shaw, Steele, Thompson, Thomas, Ward, Willey and Woodfin.—27.

Those who voted in the negative are :

Messrs. Albritton, Barrow Berry, Bower, Boyd, Brogden, Cannady, Collins, Drake, Hargrave, McMillian, Murray, Person, Speight and Withers.—15.

On motion of Mr. Steele, the rules were suspended, and said resolutions were read the third time, and passed ; and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

The hour of 12 o'clock having arrived, the Speaker announced the special order, being the bill to repeal the act establishing the county of Jackson.

On motion of Mr. Person, the further consideration of the same was postponed until Monday week, and made the special order of that day at the hour of 12 o'clock.

Mr. Hoke moved that the Senate adjourn until to-morrow morning, 10 o'clock; which motion was agreed to.

On motion of Mr. Cunningham, the Senate adjourned until to-morrow morning, 11 o'clock.

THURSDAY, Oct. 28th 1852.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bill and resolution, in which they ask the concurrence of that body, viz :

" A bill conferring corporate powers on associations for purposes of benevolence and charity, and for the promotion of education; and a resolution in favor of James R. Dodge.

Mr. Steele introduced a bill to incorporate the Pedee Plank Road Company; which was read the first time and passed; and, on his motion, referred to the Committee on Corporations.

Received a message from the House of Commons, concurring in the amendments of the Senate to the engrossed

resolutions for furnishing the two Houses ; whereupon, said resolutions were ordered to be enrolled.

Received a message from the House of Commons, stating that they have passed the accompanying engrossed bill to amend an act passed 1850-'1, chapter 133, entitled an act to incorporate the Western Plank Road Company ; in which they ask the concurrence of the Senate. The bill was read the first time and passed ; and, on motion, referred to the Committee on Corporations.

Mr. Caldwell introduced a bill to incorporate the Bank of Charlotte, which was read the first time and passed ; and, on motion, referred to the Committee on Corporations, and ordered to be printed.

The engrossed bill to amend an act, to incorporate the Washington Mining Company, passed in the year 1838-9, was read the second time ; and, on motion of Mr. Clark, referred to the Committee on Corporations.

The engrossed bill to authorise the County Court of Duplin to sell a part of the public lands of Duplin County was read the second time ; and, on motion of Mr. Drake, ordered to be laid on the table.

The engrossed bill to amend an act entitled an act providing for keeping a record of marriages, &c., was read the second time and passed : and, on motion of Mr. Kelly, referred to the Judiciary Committee.

The engrossed bill to amend an act passed by the General Assembly at the session of 1850-'51 entitled an act to incorporate the Fayetteville and Centre Plank Road Company, was read the second time and passed.

The engrossed bill to incorporate the Burnsville Division of the Sons of Temperance, No. 209, was read the second time ; and, on motion of Mr. Clark, referred to the Committee on Corporations.

On motion of Mr. Drake, the bill to provide for paying tales jurors in Halifax County was taken up. Motions were severally made to extend the provisions of the bill to the Counties of Granville, Perquimons, Pitt, Columbus and Brunswick, when, on motion of Mr. T. F. Jones, ordered that the same be laid on the table.

Mr. Thomas introduced the following preamble and resolution, viz:

WHEREAS, at the last session of the General Assembly, an act was passed, repealing an act establishing Polk county, in the Western portion of the State, by which the West is deprived of one member in the House of Commons ;

And whereas, a resolution has been introduced, at this session, to repeal an act establishing another county in the West by the name of Jackson ;

And whereas, under a recent decision of the Supreme Court of the State, the power of the General Assembly is conceded, to repeal the acts establishing any county in the State ;

And whereas, the repeal of Western counties must lead to much dissatisfaction ;

And whereas, if the General Assembly continue the policy of repealing acts, which establish counties in the west, and thereby lessen their number of representatives, it may lead to the repeal of a part of the counties in the eastern portion of the State, a considerable number of which do not possess their requisite share of population ;

In order to prevent the evils resulting from the repeal of acts establishing counties, which, if continued, might be exercised by a political party having a majority in the Legislature, to weaken and disfranchise the minority :

Therefore, be it *Resolved*, That, in the opinion of this General Assembly, the power of repealing counties ought not to be exercised during the present session, and that, in the opinion of this General Assembly, the exercise of this power is one of doubtful expediency.

Which resolution was read the first time and passed.

Mr. Thomas moved that the Senate adjourn until to-morrow morning, 11 o'clock ; which motion was decided in the negative—Ayes 19, noes 21.

Mr. Cunningham called for the ayes and noes.

Those who voted in the affirmative are,

Messrs. Arendell, Bower, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Herring, T. F. Jones, W. Jones, Lillington, McDowell, McMillan, Murchison, Shaw, Speight, Thomas and Ward—19.

Those who voted in the negative are,

Messrs. Albright, Albritton, Berry, Boyd, Cowper, Cunningham, Drake, Hargrave, Kelly, Lane, McClees, Mitchell, Murray, Parks, Person, Richardson, Steele, Thompson, Withers, Willey, and Woodfin—20.

Mr. Murchison moved that the Senate do now adjourn until to-morrow morning, 11 o'clock.

The vote on which motion resulted as follows : Ayes 20, noes 20.

Mr. Person demanded the ayes and noes.

Those who voted in the affirmative are:

Messrs. Albright, Bower, Brogden, Caldwell, Cannady, Clark, Collins, T. F. Jones, W. Jones, Kelly, Lillington, McDowell, McMillan, Mitchell, Murchison, Parks, Shaw, Speight, Thomas, and Ward—20.

Those who voted in the negative are:

Messrs. Albritton, Arendell, Berry, Boyd, Bunting, Cowper, Cunningham, Drake, Hargrave, Herring, Lane, McClees, Murray, Person, Richardson, Steele, Thompson, Withers, Willey and Woodfin—20.

There being a tie, the Speaker voted in the affirmative,

And the Senate adjourned until to-morrow morning, at 11 o'clock.

FRIDAY, OCT. 29th, 1852.

Mr. Caldwell introduced a bill, accompanied by a memorial, to amend an act, entitled an act to incorporate Union Institute in Randolph county, a Normal College, which was read the first time and passed; and, on motion, said bill and memorial were referred to the Committee on Education, and ordered to be printed.

On motion of Mr. Berry, leave of absence was granted to Mr. Person from and after to-day, until Wednesday next.

Mr. Albright introduced a bill to incorporate the Haywood and Raleigh Plank Road company; which was read

the first time and passed, and, on motion, referred to the Committee on Corporations.

On motion of Mr. Richardson, leave of absence was granted to Mr. Steele, from and after to-morrow, until Friday next.

On motion of Mr. Cowper,

Resolved, That the Committee on the Judiciary be instructed to take under their consideration the 88th chapter of the Revised Statutes, concerning the appointment and duties of a patrol in each county in this State, and whether, in their opinion, some amendment thereto is not necessary to be made for the appointment and duties of patrols, and for their better regulation, management and protection; and that they report by bill or otherwise.

On motion of Mr. Clark, the Senate took up for consideration, the bill to encourage the investment of capital for mining and manufacturing purposes; which, on motion of Mr. Kelly, was ordered to be laid on the table.

On motion of Mr. Lillington, leave of absence was granted to Mr. Albritton, from and after to-day, until Thursday next.

Received a message from the House of Commons, transmitting a message from his Excellency, the Governor, accompanied by a report of the President and Directors of the Literary Fund, with a proposition to print the same; which was concurred in.

On motion of Mr. Drake, the engrossed bill to authorise the County Court of Duplin to sell a part of the public lands of Duplin county, was now taken up and read the second time and passed; and, on motion of Mr. Bower,

the rules were suspended, and said bill read the third time, passed and ordered to enrollment.

The engrossed bill to amend an act passed by the General Assembly at the session of 1850-'51, entitled an act to incorporate the Fayetteville and Centre Plank Road Company, was read the third time, passed and ordered to be enrolled.

The resolution respecting the power and expediency of repealing counties, was now taken up; but, on motion of Mr. Thomas, ordered to be laid on the table.

Mr. Steele moved that the same be printed; which motion was disagreed to.

Mr. Thompson introduced the following resolution, viz:

Resolved, That a message be sent to the House of Commons, proposing that the two Houses of the General Assembly adjourn from and after to-day, until Thursday next.

Received a message from the House of Commons, stating that they have indefinitely postponed the proposition of the Senate, that the two Houses adjourn from and after to-day, until Thursday next.

On motion of Mr. McDowell,

The Senate adjourned until to-morrow morning, at 11 o'clock.

SATURDAY, OCT. 30th, 1852.

On motion of Mr. Cunningham, leave of absence was granted to Mr. Shaw from and after to-day, until Thursday next.

On motion of Mr. T. F. Jones, leave of absence was granted to the Senator from Bertie county, from and after to-day, until Wednesday next.

Mr. Woodfin, from the Judiciary Committee, to whom was referred the bill to confirm the establishment of Yadkin county, reported the same back to the Senate and recommended its passage.

Ordered to be laid on the table.

On motion of Mr. Boyd,

Resolved, That a message be sent to the House of Commons, proposing to adopt the report of the Comptroller, giving the amount of taxes paid into the Public Treasury for the last five years, and the average for each county, as the basis for laying off the Senatorial Districts, with the following alterations, viz :

The average for Surry county, to be	923 63
Yadkin county	1,000 00
Forsythe county, to be	1,887 92
Madison county	334 91
Watauga county	286 37
Rutherford county, including amount paid by Polk county, in 1847,	2,030 49
Yancey county, to be	406 09
To the amount paid by Montgomery county, for 1850, \$10 should be added, increasing the aggregate for said county to \$3,829 84, making the average for Montgomery county, to be	765 96
The above alterations increase the aggregate amount of taxes paid within the last five years, to the sum of	\$691,467 53

[On motion of Mr. Albright,

Resolved, That the Committee on the Judiciary be instructed to enquire into the expediency of amending the first section of 64th chapter of the Revised Code, entitled an act concerning filial portions, legacies and distributive shares of intestates' estates, so as to admit of representatives of uncles' and aunts' children and grand-children, and that they report by bill or otherwise.

Received a message from the House of Commons, accompanied by a communication from his Excellency, the Governor, transmitting sundry resignations of Justices of the Peace, resolutions of State Legislatures and the report of the Raleigh and Wilmington Rail Road Company ; with a position to print said report.

The message was read, the proposition to print agreed to, and the resignations of Justices accepted.

Mr. Woodfin introduced a bill to incorporate the North Carolina and Western Rail Road Company, which was read the first time and passed ; and, on motion, referred to the Committee on Internal Improvements and ordered to be printed.

Mr. Murchison introduced a bill to incorporate the Bank of North Carolina, which was read the first time and passed ; and, on motion, referred to the Committee on Corporations, and ordered to be printed.

Mr. T. F. Jones presented a bill to authorise the Court of Pleas and Quarter Sessions of Perquimons County to sell a portion of its public square ; which was read the first time and passed.

On motion of Mr. McClees, the Senate adjourned until Monday morning, 11 o'clock.

MONDAY, Nov. 1st.

On motion of Mr. McClees, leave of absence was granted to Mr. Willey from and after to-day, until Thursday next.

On motion of Mr. Arendell, leave of absence was granted to the Senator from Hertford from and after to-day, until Saturday next.

Received a message from the House of Commons, transmitting the report of the President and Directory of the Raleigh and Gaston Railroad Company, with a proposition to print the same; which was concurred in.

The said message also stated that Messrs. Strange, Calloway, Johnson, Dunn and Barco, constitute the Committee of the House of Commons on Enrolled Bills for the present week.

The Speaker announced that Messrs. Richardson, Speight, and Brogden, from the Senate's branch of the Committee on Enrolled Bills for the present week.

Mr. Kelly introduced a bill to amend the 1st section of the 64th chapter of the Revised Statutes, entitled, "legacies filial portions and distributive shares;" which was read the first time and passed.

The bill to authorize the Court of Pleas and Quarter Sessions of Perquimons county to sell a portion of the public square, was read the second time and passed; and, on motion of Mr. Bower, the rules were suspended and the bill read the third time, passed and ordered to be engrossed.

The bill to confirm the establishment of Yadkin county was read the second time and passed.

On motion of Mr. McClees, the Senate adjourned until to-morrow morning, 11 o'clock.

TUESDAY, Nov. 2nd. 1852.

Mr. Hoke presented the memorial of citizens of the counties of Yancy, McDowell, Watauga, Burke and Caldwell, praying for the erection of a new County; which, on motion, was referred to the Committee on Propositions and Grievances.

On motion of Mr. Gilmer, the Senate adjourned until to-morrow morning, 11 o'clock.

WEDNESDAY, Nov., 3rd, 1852.

Mr. Gilmer presented the memorial of the Grand Jury, and sundry citizens of Guilford county, praying for the passage of an act to pay tales jurors in said county; which, on motion, was ordered to be laid on the table.

My. Boyd introduced a bill to pay tales jurors in the county of Rockingham; which was read the first time and passed.

Mr. Thomas introduced a bill to incorporate the North Carolina and South Carolina Turnpike Company; which was read the first time and passed; and, on motion, referred to the Committee on Internal Improvements.

On motion of Mr. Thomas,

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of four on the part of the Senate, and six on the part of the House, to take into consideration the Western Turnpike, and, also, the lands pledged for its construction; and that the said committee report by bill or otherwise, providing for a sale of said land.

On motion of Mr. Lillington, the Senate adjourned until to-morrow morning, 11 o'clock.

THURSDAY. Nov. 4th, 1852.

Mr. Washington presented the pension Certificate of Thomas Ewell, of Craven county, which was ordered to be countersigned by the Speaker of the Senate, and sent to the House of Commons.

Mr. Hoke offered the following resolution, viz:

Resolved, That the Committee on Swamp Lands report to the Senate, at their earliest convenience, the number of acres of land owned by the State, the number acres drained and undrained, the value of the same, and the sum it would require to drain the said lands.

Mr. Jones moved to amend the resolution, by striking out the words, "*Swamp Lands*," and inserting "*the Judiciary*," which was not agreed to.

The resolution was then adopted.

Mr. Withers introduced the following preamble and resolution, which was read and adopted, viz :

WHEREAS, in many instances, squatters settle on the Lands of infants residing beyond the limits of this State, by reason where of injury and loss occur to such infants, and in some instances to the Literary Fund :

Resolved, That the Committee on the Judiciary, enquire whether legislation on this subject is necessary, and that they report by bill or otherwise.

Received a message from the House of Commons, proposing to raise a Joint Select Committee, to consist of the Senators and Members of the House of Commons representing the Counties of McDowell and Yaney, on so much of the Governor's Message as relates to the McDowell and Yaney Turnpike ; and that said Committee enquire what further legislation may be necessary, and, that they report by bill or otherwise. Concurred in.

The message also stated that the House of Commons concur in the proposition of the Senate, to adopt the Comptroller's report as to the taxes paid into the public Treasury for the last five years, as a basis for laying off the Senatorial Districts.

Mr. Brogden introduced a bill making Rail Road Companies liable for all damages done by fire, from sparks falling from Locomotives : which was read the first time and passed ; and, on motion, referred to the Committee on the Judiciary.

Received a message from the House of Commons, informing that they have passed the following engrossed bills, in which they ask the concurrence of the Senate, viz :

A bill concerning the distribution of the School Fund in the county of Gaston;

A bill to authorise the wardens of the poor of Lincoln county to sell the lands in said county on which the poor House is situate;

A bill to authorise any fifteen Justices of the Peace of Craven County to appoint superintendants of Common Schools in said county;

A bill to extend the right of Appeal in certain cases;

A bill to amend the second section of the 39th chapter of the Revised Statutes, entitled Divorce and Alimony; and,

A bill to authorise the Courts of Pleas and Quarter Sessions to make compensation to Justices of the Peace, appointed to take the lists of taxable property; which said bills were severally read the first time and passed.

Received a message from the House of Commons, transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz.

A bill to amend the 1st section of the 64th chapter of the Revised Statutes;

A bill to establish the dividing line between the counties of Beaufort and Craven;

A bill to amend an act, entitled an act, for establishing public landings and places of inspection, and for the appointment of inspectors, and regulation of inspections;

A bill concerning the embankment of low grounds; and

A bill to appoint Commissioners to sell a portion of the streets in the town of Shelby, in the county of Cleveland, and for other purposes.

Which said bills were severally read the first time and passed.

Also an engrossed bill authorising the probate of all deeds and bills of sale requiring registration, before the Clerks of the Courts of Pleas and Quarter Sessions, at any time, which was read the first time and passed: and, on motion of Mr. Gilmer, referred to the Committee on the Judiciary.

The bill to confirm the establishment of Yadkin county was read the third time, passed and ordered to be engrossed.

The bill to pay tales jurors in Rockingham county, was read the second time, amended, on motion of Mr. Gilmer, by extending its provision to the county of Guilford, and passed its second reading as amended.

On motion of Mr. Caldwell, the bill to repeal in part the 25th section of the 52d chapter of the Revised Statutes was now taken up, and, on his motion, made the special order for Tuesday next, at 12 o'clock.

The bill to amend the 1st section of the 64th chapter of the Revised Statutes, entitled legacies, filial portions and distributive shares, was read the second time, and, on motion of Mr. Gilmer, referred to the Committee on the Judiciary.

On motion of Mr. Thomas, the Senate adjourned until to-morrow morning, 11 o'clock.

FRIDAY, NOV. 5th. 1852.

Mr. Washington presented the pension certificates of Theophilus Gardner and William Sasser, of Wayne county; which were ordered to be countersigned by the Speaker of the Senate, and sent to the House of Commons.

Received, a message from the House of Commons, informing that they have passed the following engrossed bill, in which they ask the concurrence of the Senate, viz:

"A bill for the better government of the town of Lincoln, and to amend the existing corporate laws of said town; which said bill was read the first time and passed, and, on motion of Mr. Hoke, referred to the Committee on Corporations.

Mr. Richardson introduced a bill to increase the capital stock of the Bank of Wadesborough, which was read the first time and passed.

Mr. Hoke presented a bill, accompanied by a memorial, to incorporate the Trustees of the Catawba College; which was read the first time and passed; and, on motion, said bill and memorial were referred to the Committee on Corporations.

The engrossed bill concerning the distribution of the School Fund in the county of Gaston, was read the second time and passed; and, on motion of Mr. Bower, the rules were suspended, and said bill read the third time, passed and ordered to be enrolled.

The engrossed bill to authorise the Wardens of the poor of Lincoln county, to sell the land in said county, on which the Poor House is situated, was read the second time, and, on motion of Mr. Hoke, ordered to be laid on the table.

The engrossed bill to extend the right of appeal in certain cases, was read the second time and passed; and, on motion of Mr. Washington, referred to the Committee on the Judiciary.

The engrossed bill to authorise any fifteen Justices of the Peace of Craven county to appoint Superintendents of Common Schools, was read the second time and passed; and, on motion of Mr. Washington, the rules were suspended, and the bill read the third time, passed and ordered to be enrolled.

The bill to amend the second section of the 39th chapter of Revised Statutes, entitled divorce and alimony, was read the second time, and, on motion of Mr. Hoke, referred to the Committee on the Judiciary.

On motion of Mr. Gilmer, Messrs. T. F. Jones and Washington were added to the Judiciary Committee.

The engrossed bill to authorise the Courts of Pleas and Quarter Sessions to make compensation to Justices of the Peace, appointed for taking the lists of taxables, was read the second time and passed.

The bill to amend the first section of the 64th chapter of the Revised Statutes, was read the second time, and, on motion of Mr. Lillington, referred to the Committee on the Judiciary.

The engrossed bill to establish the dividing line between the counties of Beaufort and Craven, was read the second time and passed.

The engrossed bill to amend an act, entitled an act, for establishing public landings and places of inspections;

The engrossed bill concerning the embankment of low grounds: and

The engrossed bill to appoint Commissioners to sell a portion of the streets in the town of Shelby, in the county of Cleaveland, and for other purposes, were severally read the second time and passed.

The bill to pay tales jurors in the counties of Rockingham and Guilford, was read the third time, passed and ordered to be engrossed.

On motion of Mr. Drake, the enrolled bill to provide for paying tales jurors in the county of Halifax, was now taken up, read the third time, amended by extending its provisions to the counties of Granville and Sampson, and passed as amended; and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

On motion of Mr. McDowell, the Senate took up for consideration the engrossed bill, providing for the pay of jurors in Columbus county. The said bill was read the third time, amended by extending its provisions to the county of Onslow, and passed as amended, and, a message sent to the House of Commons, asking their concurrence in the Senate's amendment.

On motion of Mr. Gilmer, the Senate adjourned until to-morrow morning, 11 o'clock.

SATURDAY, Nov. 6th, 1852.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of that body, viz :

“ A bill to confirm the establishment of the county of Yakkin : a

Bill to pay tales jurors in Rockingham and Guilford counties : and a

Bill to authorise the Court of Pleas and Quarter Sessions of Perquimons county, to sell a portion of its public square.

Mr. Woodfin, from the Committee on Judiciary, to whom was referred the bill to extend the time of registering grants, mense conveyances, powers of attorney, bills of sale and deeds of gift, reported the same back to the Senate, and recommended its passage.

Ordered to lie on the table.

Mr. Woodfin, from the same committee, to whom was referred the bill authorising the probate of all deeds and bills of sale requiring registration, before the Clerks of the Courts of Pleas and Quarter Sessions, at any time, reported the same back to the Senate, with an amendment, and recommended its passage.

Ordered to lie on the table.

Mr. Woodfin, from the same committee, to whom was referred the bill making Railroad Companies liable for all da-

mages done by fire from sparks falling from Locomotives, reported the same and recommended its rejection.

Ordered to be laid on the table.

Mr. Woodfin, from the same committee, to whom was referred the bill to amend the 2nd section of the 39th chapter of the Revised Statutes, entitled divorce and alimony, reported the same and recommended its rejection.

Ordered to lie on the table.

On motion of Mr. Thomas,

Resolved, That the Committee on the Judiciary enquire into the expediency of so altering and amending the laws, as to require Justices of the Peace to give bonds and security for the faithful performance of duty: And upon giving bond, to be allowed fees for their services; that they be required to keep a record of their proceedings; that in all cases of assaults and batteries, brought before them, in cases of submission, to fine one or both of the parties, not less than two, nor more than fifty dollars; to allow the right of appeal to either party upon giving bond and security to indemnify the county against the payment of costs. In cases where no appeal is taken and the fines paid, to make it the duty of the justices to pay over the fines for the use of the county, and report to the Clerk of the Superior Court the cases of submission, which have been settled before them: And so provide in the duty of the Grand Jury, that no further proceeding shall be had thereon in court; and that said committee report by bill or otherwise.

Mr. Steele introduced a bill to alter the Constitution of this State; which was read the first time, and, on motion, referred to the Committee on Amendments to the Constitution.

Mr. Cannady introduced a bill in relation to executors of last Wills and Testaments; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary and ordered to be printed.

On motion of Mr. Steele, the vote by which the bill to alter the Constitution of this State was referred to the Committee on Amendments to the Constitution, was reconsidered.

And the question recurring on the passage of the bill its first reading, was determined in the negative; a constitutional majority not voting in its favor.

Received a message from the House of Commons, transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz:

“ A bill to incorporate the Haywood and Pittsboro Plank Road Company: and

A bill to incorporate the Concord and Anson Plank Road Company:

Which were severally read the first time and passed; and, on motion of Mr. Clark, referred to the Committee on Internal Improvements.

The engrossed bill to appoint commissioners to sell a portion of the streets in the town of Shelby, in the county of Cleaveland, and for other purposes, was read the third time, passed and ordered to be enrolled.

The engrossed bill to authorise the Courts of Pleas and Quarter Sessions to make compensation to Justices of the Peace, appointed for taking the lists of taxable property, was read the second time; and, on motion of Mr. Steele, ordered to be laid on the table.

The engrossed bill to establish the dividing line between the counties of Beaufort and Craven was read the third time, passed and ordered to be enrolled.

The engrossed bill concerning the embankment of low grounds, was read the second time, and, on motion of Mr. Person, ordered to be laid on the table.

The bill to increase the capital stock of the Bank of Wadesborough, was read the second time ; and, on motion of Mr. Clark, ordered to be laid on the table.

On motion of Mr. McDowell,

The Senate adjourned until Monday morning, at 11 o'clock.

MONDAY, Nov. 8th, 1852.

The Speaker announced that Messrs. McMillan, Albright and Kerr, compose the Committee on enrolled bills the present week.

Mr. Brogden introduced a bill to exempt persons of sixty-five years of age, and upwards, from serving as jurors, which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

The bill to extend the time for registering grants, mesne conveyances, powers of attorney, bills of sale and deeds of gift, was read the second time and passed: and, on motion,

of Mr. Hoke, the rules were suspended and said bill read the third time, passed and ordered to be engrossed.

Received a message from the House of Commons, concurring in the proposition of the Senate to raise a Joint Select Committee of four from the Senate and six from the House, to take into consideration the Western turnpike road, and the lands pledged for its construction: and informing that their branch of the committee on the subject consists of Messrs. Blow, Smith, Lander, Fagg, Monday and Styles. Whereupon, Messrs. Thomas, Washington, Bower and Thompson were appointed the Committee on the part of the Senate.

Received a message from the House of Commons, concurring in the amendments of the Senate to the bill to provide for the paying tales jurors in the county of Halifax. And also, to the bill to pay tales jurors in the county of Columbus, the same compensation as is now paid to jurors of the regular panel,

Ordered that said bills be enrolled.

The message also stated, that the Committee on enrolled bills on the part of the House of Commons for the present week, consists of Messrs. Erwin, W. Harris, Monday, Rives and Lowry.

Received a message from the House of Commons, transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz:

A bill concurring public roads, ferries and bridges in the county of Bladen;

A bill to perfect titles to land entered in the County of Macon previous to the 15th of March 1852; and,

A bill to repeal an act, entitled an act, for the better organization of the Court of Pleas and Quarter Sessions for the county of Pasquotank, passed at the last session of the General Assembly, chapter 55 ; which bills were severally read the first time and passed.

Also, a bill concerning the sale and inspection of lumber and ton timber at Wilmington or other points on the Cape Fear River, which was read the first time and passed ; and, on motion of Mr. Brogden, referred to the Committee on the Judiciary.

Also, a bill concerning the Superior Courts of Randolph, Alamance and Currituck Counties, which was read the first time, passed, and, on motion of Mr. Bower, referred to the Committee on the Judiciary.

The engrossed bill, authorising the probate of all decds and bills of sale requiring registration before the Clerks of the Courts of Pleas and Quarter Sessions, at any time, was read the second time, the amendment recommended by the Committee agreed to, and the bill passed as amended.

The bill making rail road companies liable for all damages done by fire from sparks falling from locomotives, was read the second time, and, on motion of Mr. Person, ordered to be laid on the table.

The engrossed bill to amend the second section of the 29th chapter of the Revised Statutes, entitled divorce and alimony, was read the second time and rejected, and the House of Commons informed thereof.

On motion of Mr. Boyd, the report from the Committee on Tabular Statements was taken up and recommitted.

Whereupon, Mr. Boyd, in behalf of the committee, submitted another report. Mr. Thompson moved, that so much of said report as relates to the Indian population, be

referred to the Judiciary Committee ; which was agreed to, and, on his motion, the balance of the report was ordered to be laid on the table.

Mr. Steele introduced a bill to incorporate Excelsior Lodge, No. 41, I. O. O. F., which was read the first time and passed ; and, on motion, referred to the Committee on Corporations.

Mr. Kelly introduced a resolution requiring the Secretary of State to procure the names of the several acting Justices of the Peace in this State, and report to the General Assembly ; which was read the first time and passed.

On motion of Mr. Hoke, the Senate proceeded to consider the engrossed bill to authorise the Wardens of the Poor of Lincoln county to sell the land in said county, on which the Poor-House is situated ; which was read the second time and passed ; and, on his motion, the rules were suspended, and the bill read the third time and passed, and ordered to be enrolled.

Mr. Thomas presented a resolution in favor of Rufus H. Page : which was read the first time and passed ; and, on motion of Mr. Boyd, referred to the Committee on Claims.

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the special order, being the bill to repeal the act of 1850-'51, entitled an act to establish a new county by the name of Jackson.

After some time spent in debate, Mr. Thomas moved that the further consideration of the same be postponed until 12 o'clock on Wednesday next, and be made the special order of the day for that hour.

Which motion was carried—Ayes 23, noes 20.

Mr. Steele demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Collins, Cunningham, Drake, Gilmer, Hargrave, Herring, Hoke, W. Jones, Kerr, Lane, Parks, Speight, Thomas, Watson, Withers and Woodfin—23.

Those who voted in the negative are,

Messrs. Albright, Albritton, Barrow, Clark, Cowper, T. F. Jones, Joyner, Kelly, McClees, McDowell, McMillan, Mitchell, Palmer, Person, Shaw, Steele, Thompson, Ward, Washington and Willey.—20.

Mr. Woodfin introduced a bill to amend the first section of the 41st chapter of the Revised Statutes, so as to give the sheriffs of Haywood, Macon and Cherokee twelve days to make return of the vote for Presidential Electors, instead of eight: which was read the first time and passed; and, on motion of Mr. Woodfin, the rules were suspended, and the bill read the second time, and amended on the motions of Messrs. Shaw and Washington, by extending its provisions to the counties of Currituck and Carteret.

The bill was then read a third time, under a suspension of the rules, and so amended as to make it a general bill, allowing further time for the sheriffs' in the several counties in this State to make returns of the vote of Presidential Electors; passed as amended, and ordered to be engrossed.

Whereupon, on motion of Mr. Washington, the 15th rule for the government of the Senate was suspended, and a message sent to the House of Commons, informing that the Senate have passed the bill aforesaid, and asking their concurrence in the same.

Mr. Hoke moved that the Senate do now adjourn until tomorrow morning, 10 o'clock.

Mr. Woodfin proposed 11 o'clock.

And the question being taken on Mr. Woodfin's amendment, "that the Senate adjourn until to-morrow morning, 11 o'clock," was determined in the negative—Ayes 14, noes 28.

Those who voted in the affirmative, are :

Messrs. Albright, Brogden, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, McClees, Parks, Thompson, Washington, Willey and Woodfin—14.

Those who voted in the negative are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Caunady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, Lillington, McDowell, McMillan, Mitchell, Palmer, Person, Speight, Thomas, Ward, Watson and Withers.—28.

The motion of Mr. Hoke was then withdrawn.

On motion of Mr. Kelly, the engrossed bill concerning public roads, ferries and bridges in the county of Bladen, was taken up and referred to the Committee on the Judiciary.

Mr. Clark asked that the Committee on Corporations be discharged from the further consideration of the bill for the better government of the town of Lincolnton, and to amend the existing corporate law, of said town ; which motion was disagreed to.

Mr. Lillington moved that the Senate adjourn until to-morrow morning, 10 o'clock, which was carried in the affirmative—Yeas 25, noes 18.

Mr. Gilmer demanded the ayes and noes.

Those who voted in the affirmative, are :

Messrs. Barrow, Berry, Bower, Bunting, Caldwell, Hargrave, Herring, Hoke, T. F. Jones, W. Jones, Joyner, Kerr, Lane, Lillington, McDowell, McMillan, Mitchell, Parks, Person, Speight, Thomas, Thompson, Ward, Watson and Willey.—25.

Those who voted in the negative are:

Messrs. Albright, Albritton, Boyd, Brogden, Cannady, Clark, Collins, Cowper, Cunningham, Drake, Gilmer, Kelly, McClees, Palmer, Steele, Washington, Withers and Woodfin—18.

TUESDAY, Nov. 9th. 1852.

A message was sent to the House of Commons, informing that the Senate have passed the following engrossed bills, in which they ask the concurrence of that body, viz :

“A bill to extend the time for registering grants, mesne conveyances, powers of attorney, bills of sale and deeds of gift : and

A bill to allow further time for Sheriffs to make their returns in Presidential Elections.”

Mr. Caldwell presented the memorial of sundry citizens of Gaston county, protesting against being attached to Lincoln county ; which, on motion, was referred to the Committee on Propositions and Grievances.

Mr. Clark presented the petition of the officers and privates of the 20th Regiment of the North Carolina Militia ; which, on motion, was referred to the Committee to revise the Militia Laws.

Mr. Clark, from the Committee on Corporations, to whom was referred the bill to incorporate Catawba College, reported the same back to the Senate, with sundry amendments.

Ordered to lie on the table.

Mr. Hargrove introduced a bill to amend an act, passed in 1850 and 1851, incorporating the Lewis Gold Mining Company: and

A bill concerning the Conrad Hill Gold Mining Company; which said bills were read the first time and passed, and, on motion, referred to the Committee on Corporations.

Received a message from the House of Commons, transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz:

“A bill to incorporate the Fayetteville and Raleigh Plank Road Company: a

Bill to incorporate the Gulf and Graham Plank Road Company: and

A bill to incorporate the Haywood and Chapel Hill Plank Road Company; which bills were severally read the first time and passed, and, on motion of Mr. Clark, referred to the Committee on Corporations.

Mr. Gilmer introduced a bill concerning the reports of the Supreme Court; which was read the first time and passed.

Mr. Kelly introduced a bill authorising Justices of the Peace to resign to the County Court, and for other purposes; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

Mr. Shaw introduced a bill to incorporate Indian Ridge Division, No. 220, of the Sons of Temperance; which

was read the first time and passed, and, on motion, referred to the Committee on Corporations.

The engrossed bill authorising the probate of all deeds and bills of sale, requiring registration before the Clerks of the Courts of Pleas and Quarter Sessions, at any time, was read the third time, and passed as amended; and a message sent to the House of Commons, asking their concurrence in the amendment of the Senate.

The engrossed bill to amend an act, entitled an act, for establishing public landings and places of inspection, and for the appointment of Inspectors, &c., was read the third time, passed and ordered to be enrolled.

The engrossed bill to repeal an act for the better organization of the Court of Pleas and Quarter Sessions for the county of Pasquotank, passed at the last session of the General Assembly, chapter 55, was read the second time and passed.

The engrossed bill to perfect titles to lands entered in the county of Macon, previous to the 15th of March, 1852, was read the second time and passed, and, on motion of Mr. Thomas, the rules were suspended, and the bill read the third time, passed and ordered to be enrolled.

The resolution requiring the Secretary of State to procure the names of the several acting Justices of the Peace in this State was read the second time and passed.

Mr. Hoke presented the petition of sundry citizens of the town of Lineolnton in relation to the act incorporating said town: which, on motion, was referred to the Committee on Corporations.

Mr. Hoke presented a petition, praying for the passage of an act in favor of Ephraim Lutz ; which, on motion, was referred to the Committee on the Judiciary.

Mr. Thomas from the Committee on Internal Improvements to whom was referred the bill concerning the Seaboard and Roanoke Railroad Company, reported the same back to the Senate, with sundry amendments.

Ordered to lie on the table.

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the special order, being the engrossed bill to repeal in part the 25th section of the 52nd chapter of the Revised Statutes. The bill was read the second time and passed.

On motion of Mr. Kelly, the Senate took up the bill to encourage the investment of capital for mining and manufacturing purposes, and said bill being read the second time, was amended on the several motions of Messrs. Kelly, Caldwell and Gilmer, and passed as amended.

On motion of Mr. Kelly, the rules were suspended, and the bill read the third time, passed and ordered to be engrossed.

Mr. Bower introduced a bill concerning the printing of the private acts of the General Assembly ; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

Mr. Murchison introduced a bill to incorporate the Cumberland Academy in the county of Cumberland ; which was read the first time and passed, and, on motion of Mr. Clark, referred to the Committee on Corporations.

On motion of Mr. Speight, the Senate adjourned until tomorrow morning, 10 o'clock.

WEDNESDAY, NOV., 10th, 1852.

Mr. Drake, from the Committee on Claims, to whom was referred a resolution in favor of Rufus H. Page, reported the same back to the Senate and recommended its adoption.

Ordered to lie on the table.

Mr. Clark from the Committee on Corporations to whom was referred a bill to incorporate the Haywood and Raleigh Plank Road Company, reported the same with sundry amendments.

Mr. Watson from the Committee on Propositions and Grievances to whom was referred a bill to lay off a new county out of a portion of Ashe, reported the same back to the Senate and recommended its passage.

Ordered to lie on the table.

Mr. Steele, from the Committee on Finance, to whom was referred the bill to repeal the proviso to the 9th section of the 42nd chapter of the Revised Statutes, reported the same back to the Senate, and recommended that the same do not pass.

Ordered to lie on the table.

Mr. Steele, from the same committee, to whom was referred the bill to make certain bonds transferable, reported the same back to the Senate, with amendments, and recommended its passage.

Ordered to lie on the table.

Mr. Boyd presented a resolution in favor of Rufus H. Page; which was read the first time and passed, and, on motion, referred to the Committee on Claims.

The resolution requiring the Secretary of State to procure the names of the several acting Justices of the Peace in this State, was read the third time, passed and ordered to be engrossed.

The engrossed bill to repeal an act, entitled an act, for the better organization of the Court of Pleas and Quarter Sessions for the county of Pasquotank, passed at the last session of the General Assembly, chapter 55, was read the third time, passed and ordered to be enrolled.

The bill concerning the reports of the Supreme Court, was read the second time and passed.

The bill to incorporate the Catawba College, was read the second time, the amendments recommended by the Committee agreed to, and the bill passed as amended.

The bill concerning the Seaboard and Roanoke Railroad Company, was read the second time, the amendments recommended by the committee agreed to; and the bill passed as amended.

On motion of Mr. Joyner, the rules were suspended, and the bill read the third time, passed, and ordered to be engrossed.

The engrossed bill to repeal in part the 25th section of the 25th chapter of the Revised Statutes, was now taken up, and read the third time; and the question being on the passage of the bill its third and last reading, was determined in the affirmative; ayes 25, noes 21.

Mr. Brogden demanded the ayes and noes.

Those who voted in the affirmative are:

Messrs. Barrow, Berry, Bower, Boyd, Cannady, Bunting, Caldwell, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Shaw, Speight, Thomas, Ward, Watson, and Withers—25.

Those who voted in the affirmative are,

Messrs. Albright, Albritten, Arendell, Brogden, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Steele, Thompson, Washington, Willey and Wood. fin—23.

Ordered that said bill be enrolled.

Mr. Gilmer introduced a bill, accompanied by a memorial, to attach a part of Davidson county to the county of Forsythe, which was read the first time and passed; and, on motion, the bill and memorial were referred to the Committee on propositions and grievances.

Mr. Thomas, from the Committee on Internal Improvements, to whom was referred the bill to incorporate the Haywood and Pittsboro' Plank Road company, reported the same to the Senate and recommended its passage.

Ordered to lie on the table.

Mr. Thomas from the same committee to whom was referred the bill to incorporate the Concord and Anson Plank

Road Company, reported the same, with an amendment; and recommended its passage.

Ordered to lie on the table.

Mr. McClees introduced a bill to amend an act, entitled an act concerning the draining of low grounds, which was read the first time and passed; and, on motion of Mr. Washington, referred to the Committee on the Judiciary.

The Senate now proceeded to consideration of the special order; being the bill to repeal an act passed at the session of 1850-51, entitled, an act to establish a new county, by the name of Jackson.

And the same being read the second time, Mr. Thomas moved that its further consideration be postponed until the 29th day of December next and made the special order for that day at the hour of 12 o'clock.

Mr. Woodfin moved that the same be indefinitely postponed; which was decided in the negative, ayes 19, noes 28.

Mr. Steele demanded the ayes and noes.

Those who voted in the affirmative are.

Messrs. Barrow, Bower, Boyd, Caldwell, Collins, Hargrave, Hoke, W. Jones, Kelly, Lane, Lillington, McDowell, Mitchell, Murchison, Parks, Speight, Thomas, Withers and Woodfin—19

Those who voted in the negative are:

Messrs. Albright, Albritton, Arendell, Brogden, Berry, Bunting, Cannady, Clark, Cowper, Cunningham, Drake, Gilmer, Herring, T. F. Jones, Joyner, Kerr, McClees, McMillan, Murray, Palmer, Person, Shaw, Steele, Thompson, Ward, Washington, Watson and Wiley.—28.

The question now recurred on the passage of the bill its second reading, and was determined in the affirmative—ayes 27, noes 19.

Mr. McClees demanded the ayes and noes.

Those who voted in the affirmative are :

Messrs. Albright, Albritton, Arendell, Berry, Brogden, Bunting, Cannady, Clark, Collins, Cowper, Cunningham, Drake, Herring, T. F. Jones, Joyner, Kerr, McClees, McMillan, Murray, Palmer, Person, Shaw, Steele, Thompson, Ward, Washington and Willey.—27.

Those who voted in the negative are:

Messrs. Barrow, Bower, Berry, Boyd, Caldwell, Gilmer, Hargrave, Hoke, Wesley Jones, Kelly, Lane, Lillington, McDowell, Mitchell, Murchison, Parks, Speight, Thomas, Watson and Woodfin—19.

So the bill passed its second reading.

On motion of Mr. Thomas, the Senate adjourned until to-morrow morning, 11 o'clock.

THURSDAY, Nov. 11th, 1852.

A message was sent to the House of Commons, informing that the Senate have passed the following engrossed bill and resolution, in which they ask the concurrence of that body, viz :

“A bill to encourage the investment of capital for mining and manufacturing purposes; and, a resolution requiring the Secretary of State to procure the names of the several acting Justices of the Peace in this State.”

Mr. Steele, from the Committee on Finance, to whom the subject was referred, reported a bill to increase the Revenue of the State in the sale of its bonds, which was read the first time and passed.

Mr. Washington, from the Committee on the Judiciary, to whom was referred the bill to amend an act passed at the Session of 1850-51, entitled, an act to regulate the pay of jurors and witnesses in the county of Craven, reported the same and recommended its passage.

Ordered to lie on the table.

Mr. Gilmer, from the Committee on the Judiciary, to whom was referred the bill for the better administration of justice, reported the same back to the Senate, and recommended its passage.

Ordered to lie on the table.

Mr. Drake introduced a resolution in favor of the Treasurer of the State, which was read the first time and passed; and, on motion of Mr. Thomas, referred to the Committee on Turnpike Roads and Cherokee Lands.

Mr. Palmer presented sundry resolutions, directing the Treasurer to subscribe for eight hundred shares of the Stock of the Fayetteville and Centre Plank Road Company, referred to the Committee on Internal Improvements.

Received a message from the House of Commons, transmitting the report of the Commissioners to revise and digest the public Statutes, with a proposition to print the same.

The proposition was concurred in.

Mr. Parks introduced a bill for dividing the county of Ire-dell, which was read the first time and passed; and, on motion, referred to the committee on propositions and grievances.

Mr. Caldwell introduced a bill to incorporate the Charlotte, North Carolina, and Cheraw, South Carolina, Plank Road Company, which was read the first time and passed; and, on motion, referred to the committee on corporations.

Mr. T. F. Jones presented the memorial of sundry citizens of Pasquotank, praying the passage of an act to make certain trespasses indictable; which, on motion, was referred to the Committee on the Judiciary.

The engrossed bill to attach a portion of the county of Wilkes, to the county of Alexander, was read the second time and passed.

The bill to amend the charter of the town of Salisbury, was read the second time and passed.

The engrossed bill to incorporate the Concord and Anson Plank Road Company; was read the second time, amended and passed.

The engrossed bill to incorporate the Haywood and Pittsboro' Plank Road Company, was read the second time and passed.

The bill to incorporate the Haywood and Raleigh Plank Road Company, was read the second time, amended and passed.

The bill concerning the reports of the Supreme Court was read the third time, passed and ordered to be engrossed.

The bill to incorporate Catawba College was read the third time, passed, and ordered to be engrossed.

On motion of Mr. Person, the Senate took up the engrossed bill concerning the embankment of low grounds, which was read the third time, passed, and ordered to be enrolled.

The bill to repeal an act of 1850-1851, entitled an act to establish a new county by the name of Jackson, was read the third time and passed.

On motion of Mr. Washington, the vote, by which the bill to repeal the county of Jackson was passed, was reconsidered.

Mr. Thomas moved that the further consideration of the bill be postponed until to-morrow 12 o'clock, and be made the special order of the day, for that hour, which motion was agreed to.

The bill to repeal the proviso to the 9th section of the 42nd chapter of the Revised Statutes, was read the second time and rejected.

The resolution in favor of Rufus H. Page was read the second time and passed; and, on motion of Mr. Drake, the rules were suspended, and the resolution passed the third time and ordered to be engrossed.

The bill to make certain bonds transferable, was read the second time, the amendment recommended by the Committee agreed to, and the bill passed as amended.

On motion of Mr Steele, the rules were suspended, and said bill read the third time, passed and ordered to be engrossed.

The bill to amend the Charter of Salisbury was now taken up, and, on motion of Mr. Lillington, the rules were suspended, and said bill read the third time, passed and ordered to be engrossed.

On motion of Mr Drake, the vote, by which the resolution in favor of the Treasurer of the State was referred to the Committee on Turnpike Roads and Cherokee lands, was reconsidered, and, on motion, referred to the Committee on Finance.

On motion of Mr Kelly, the Senate adjourned until tomorrow morning, 11 o'clock.

FRIDAY, NOV. 12th. 1852.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and resolution, in which they ask the concurrence of that House, viz :

“ A bill concerning the Seaboard and Roanoke Railroad Company.

A bill to make certain bonds of this State transferable.

A bill concerning the reports of the Supreme Court.

A bill to amend the Charter of the town of Salisbury.

A bill to incorporate Catawba College : and

A resolution in favor of Rufus H. Page.

Mr. Caldwell presented the memorial of sundry citizens of Iredell county and others, protesting against a division of that county; which, on motion, was referred to the Committee on Propositions and Grievances.

Mr. Lillington, from the Committee on the Judiciary, to whom was referred the engrossed bill to extend the right of Appeal in certain cases, reported the same back to the Senate and recommended its rejection.

Ordered to lie on the table.

Mr. Clark, from the Committee on Corporations, to whom was referred the bill to amend an act passed in 1850-'51, chapter 133, entitled an act to incorporate the Western Plank Road Company, reported the same back to the Senate and recommended its passage.

Mr. Clark, from the same Committee, to whom was referred the bill to amend an act passed in 1850-'51, to incorporate the Lewis Gold Mining Company, reported the same back to the Senate and recommended its passage.

Ordered to lie on the table.

Mr. Clark, from the same Committee, reported back to the Senate the bill concerning the Conrad Hill Gold Mining Company, and recommended its passage.

Ordered to lie on the table.

On motion of Mr. Washington,

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee, to consist of three on the part of the Senate and six on the part of the House, to ascertain and report to the General Assembly, the

present condition of the Institution for the education of the Deaf, Dumb, and Blind, the manner in which the same has been, and is now, conducted, and the pupils therein taken care of and instructed.

Mr. Lillington, from the Committee on the Judiciary, to whom was referred the engrossed bill concerning the Superior Courts of Randolph, Alamance and Currituck counties, reported the same back to the Senate and recommended its passage.

Ordered to lie on the table.

Mr. Lillington, from the same committee, to whom was referred the bill to exempt persons of sixty five years of age and upwards from serving as jurors, reported the same back to the Senate and recommended its rejection.

Ordered to lie on the table.

Mr. Murray introduced a bill to incorporate Lake View Division, No. 161 of the Sons of Temperance, in Hyde county, which was read the first time and passed, and, on motion, referred to the Committee on Corporations.

Mr. Cowper presented a bill to ascertain the whole amount of taxes paid by the people of North Carolina, which was read the first time and passed, and, on motion, referred to the Committee on Finance.

The bill to incorporate the Haywood and Raleigh Plank Road Company was read the third time, amended, and passed, and ordered to be engrossed.

The engrossed bill to incorporate the Concord and Anson Plank Road Company was read the third time, passed as amended, and a message sent to the House of Com-

mons, asking their concurrence in the amendments of the Senate.

The engrossed bill to incorporate the Haywood and Pittsboro' Plank Road Company, was read the third time.

Mr. Gilmer moved to amend the same by striking out the word *Garden*. Upon a division, 17 were found voting in the affirmative, and 17 in the negative.

Mr. Joyner, who occupied the Chair temporarily, voted in the affirmative, and the motion prevailed.

The bill then passed as amended, and a message was sent to the House of Commons, asking their concurrence in the amendment of the Senate.

Mr. Clark, from the Committee on Corporations, to whom was referred the bill to incorporate the Greensboro' Mutual Life Insurance and Trust Company, reported the same back to the Senate and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Woodfin, from the Committee on the Judiciary, to whom was referred a resolution in relation to lands belonging to non-resident infants, reported that further legislation on the subject is not required and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Woodfin, from the same committee, to whom was referred the bill authorising Justices of the Peace to resign to the County Court and for other purposes, reported the same

back to the Senate, with an amendment, and recommended its passage.

Ordered to lie on the table.

Mr. Woodfin, from the same Committee, to whom was referred the bill concerning the printing of the private acts of the General Assembly, reported the same back to the Senate and recommended its rejection.

Ordered to lie on the table.

Mr. Woodfin, from the same committee, to whom was referred the bill to expedite the trial of suits in certain cases in the Courts of law, reported the same back to the Senate and recommended its rejection.

Ordered to lie on the table.

Mr. Woodfin, from the same committee, to whom was referred the engrossed bill concerning public roads, ferries and bridges in Bladen county, reported the same back to the Senate and recommended its passage.

Ordered to lie on the table.

Mr. Kelly, from the Committee, on the Judiciary to whom was referred the engrossed bill to amend the 1st section of the 64th chapter of the Revised Statutes, reported a substitute for said bill and recommended its passage.

Ordered to lie on the table.

Mr. Kelly, from the same committee, to whom was referred the bill to amend the 1st section of the 64th chapter of the Revised Statutes, entitled Legacies, filial por-

tions and distributive shares, reported the same back to the Senate and recommended its rejection.

Ordered to lie on the table.

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the special order, being the bill to repeal an act passed at the session of 1850-51, entitled: an act to establish a new county by the name of Jackson.

The said bill being read the third time, Mr. Thomas moved to amend the same by striking out all after the enacting clause, and inserting in lieu thereof a substitute.

Whereupon, Mr. Steele called for a division of the question, and demanded the yeas and nays.

Mr. Thomas then moved that the bill and amendment be referred to the Committee on the Judiciary, and, the question being taken thereon, was determined in the affirmative; ayes 25, noes 22.

Mr. Steele demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Barrow, Berry, Bower, Boyd, Caldwell, Cannady, Clark, Collins, Gilmer, Hargrave, Hoke, W. Jones, Kelly, Kerr, Lane, Lillington, McDowell, McMillan, Murchison, Parks, Speight, Thomas Watson Withers and Woodfin—25.

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Brogden, Bunting, Cowper, Cunningham, Drake, Herring, T. F. Jones, Joyner, McClees, Mitchell, Murray, Palmer, Person, Shaw, Steele, Thompson, Ward, Washington Willey—22.

On motion of Mr. McClees, the Senate adjourned until to-morrow morning, 11 o'clock.

SATURDAY. NOV. 13th, 1852.

Mr. Washington introduced a bill, accompanied by a memorial, to enlarge the powers of the Commissioners of the town of Newbern; which was read the first time and passed, and, on motion, referred to the Committee on Propositions and Grievances.

Mr. Clark, from the Committee on Corporations, to whom was referred the bill to incorporate the Gulf and Graham Plank Road Company, reported the same back to the Senate, with an amendment, and recommended its passage.

Ordered to lie on the table.

Mr. Clark, from the same committee, to whom was referred the bill to incorporate the Pedee Plank Road Company, reported the same back to the Senate, with an amendment, and recommended its passage.

Ordered to lie on the table.

Mr. Boyd introduced the following preamble and resolution, which was adopted, viz:

WHEREAS, at a session of the General Assembly, held in the year 1816, an act was passed declaring valid the proceedings of the subscribers for improving the navigation of the river Roanoke and tributaries:

AND WHEREAS, in the 3rd section of the before recited act, it is further enacted, that the articles following shall be and make part of the Charter of the aforesaid Company :
“That if the said Company shall not open and complete the navigation of the said river and the tributary streams thereof, for the safe passage of boats, within twenty years from and after the first day of January, one thousand eight hundred and eighteen, then all preference in favor of the said company, in the navigation of said river and streams, respectively, not improved, shall cease and be forfeited :

Be it therefore,

Resolved, That the Committee on Internal Improvements be instructed to enquire whether the Roanoke Navigation company, in failing to improve that portion of Dan river running through the county of Rockingham, as set forth in the above recited act, or from any other cause, have not forfeited their right and control over the same.

Mr. Person introduced a bill to provide for paying tales jurors in the county of Northampton ; which was read the first time and passed.

Mr. Lane introduced a bill giving the election of Clerks and Masters in Equity to the people ; which was read the first time and passed, and, on motion, referred to the Committee on Propositions and Grievances.

The engrossed bill, to extend the right of appeal in certain cases, was read the second time and rejected, and the House of Commons informed thereof.

Mr. Woodfin, from the Committee on the Judiciary, to whom was referred the bill to repeal an act, passed at the session of 1850-'51, entitled an act, to establish a new county by the name of Jackson, and the amendment offered as a substitute for the same, made a verbal report thereon,

and asked to be discharged from the further consideration of the subject.

Discharged accordingly.

By general consent, the Senate now proceeded to the consideration of the bill.

The question being on the amendment offered by Mr Thomas,

Mr. Gilmer moved to amend the amendment by striking out the proviso to the last section of the same ; which motion was rejected—ayes 17, noes 25.

Mr. Steele now called for a division of the question on Mr. Thomas's amendment and demanded the yeas and nays thereon.

And the question being taken on striking out, was determined in the negative—ayes 7, noes 37.

Those who voted in the affirmative, are :

Messrs. Bower, Boyd, Hoke, W Jones, Lane, Thomas and Withers.—7.

Those who voted in the negative are:

Messrs. Albright, Albritton, Arendell, Barrow, Berry, Brogden, Bunting, Caldwell, Clark, Collins, Cowper, Cunningham, Drake, Hargrave, Herring, T F. Jones, Joyner, Kelly, Kerr, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Palmer, Parks, Person, Shaw, Speight, Steele, Thompson, Ward, Washington, Watson, Willey and Woodfin.—37.

So the Senate refused to strike out.

Mr. Thomas moved an adjournment, which was not agreed to.

Mr. Woodfin now moved to reconsider the vote just taken, by which the Senate refused to strike out; which was decided in the negative, ayes 20, noes 25.

Mr. McClees called for the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Caldwell, Collins, Gilmer, Hargrave, Hoke, Kelly, Lane, Lillington, McDowell, Mitchell, Parks, Person, Thomas, Withers and Woodfin—29.

Those who voted in the negative are,

Messrs. Albright, Albritton, Arendell, Bunting, Clark, Cowper, Cunningham, Drake, Herring, T. F. Jones, W. Jones, Joyner, Kerr, McClees, McMillan, Murray, Palmer, Shaw, Speight, Steele, Thompson, Ward, Washington, Watson and Willey—25.

So the Senate refused to reconsider.

Mr. Thomas now moved to amend the bill by adding the following proviso, viz:

“Provided that this act shall not take effect until the first day of March next, and not be entitled to a member until the next apportionment;” which said amendment was rejected.

Mr. Hoke moved that the Senate do now adjourn until Monday morning 10 o'clock, and, on this question, the Senate being equally divided, the Speaker voted in the negative, and the motion was lost.

The question on the passage of the bill its third reading was now taken and determined in the affirmative; ayes 27, noes 18.

Mr. Steele demanded the ayes and noes.

Those who voted in the affirmative are :

Messrs. Albright, Albritton, Arendell, Berry, Brogden, Bunting, Clark, Collins, Cowper, Cunningham, Drake, Herring, T. F. Jones, Joyner, Kerr, McClees, McMillan, Murray, Palmer, Person, Shaw, Steele, Thompson, Ward, Washington, Watson and Willey.--27.

Those who voted in the negative are :

Messrs. Barrow, Bower, Boyd, Caldwell, Gilmer, Hargrave, Hoke, W. Jones, Kelly, Lane, Lillington, McDowell, Mitchell, Parks, Speight, Thomas, Withers and Woodfin.--18.

Ordered that said bill be engrossed.

Received a message from the House of Commons, transmitting a communication from the Governor, accompanied by a report and memorial from the President and Directors of the Cape Fear and Deep River Navigation Company, with a proposition to print the same ; which was agreed to.

On motion of Mr. Lillington, the Senate adjourned until Monday morning, 11 o'clock.

MONDAY, Nov. 15th, 1852.

The Committee on Enrolled Bills for the present week consists of Messrs. Steele, Collins and McDowell.

A message was sent to the House of Commons, informing that the Senate have passed the following engrossed bill, in which they ask the concurrence of that body, viz :

“A bill to repeal an act to establish a new county by the name of Jackson.”

Mr. Watson, from the Committee on propositions and grievances, to whom was referred the bill giving the election of Clerks and Masters in Equity to the people, reported the same back to the Senate and recommended its passage.

Ordered to lie on the table.

Mr. Watson, from the same committee, to whom was referred the bill for dividing the county of Iredell, reported the same back to the Senate and recommended its passage.

Ordered to lie on the table.

Mr. Clark, from the Committee on Corporations, to whom was referred the engrossed bill to incorporate the Haywood and Chapel Hill Plank Road Company, reported the same back to the Senate, with sundry amendments, and recommended its passage.

Ordered to lie on the table.

Mr. Steele introduced a bill to amend an act of the General Assembly of 1850-'51, entitled an act to incorporate the Anson Plank Road company ; which was read the first time and passed.

Mr. Person introduced the following resolution, viz :

Resolved, That a message be sent to the House of Commons, proposing that the two Houses of the General Assembly adjourn *sine die* on the 15th day of December next.

The question on the adoption of the resolution was determined in the affirmative—yeas 38, noes 3.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cowper, Cunningham, Drake, Hargrave, Herring, T. F. Jones, W. Jones, Joyner, Kerr, Lane, Lillington, McClees, McMillan, Mitchell, Murchison, Murray, Palmer, Paks, Person, Shaw, Speight, Steele, Ward, Watson, Withers and Wiley—38.

Those who voted in the negative, are :

Messrs. Arendell, Gilmer, and Kelly—3.

Received a message from the House of Commons, concurring in the amendments of the Senate to the engrossed bill authorising the probate of all deeds and bills of sale requiring registration before the clerks of the Courts of Pleas and Quarter Sessions at any time.

Ordered, that said bill be enrolled.

Also, a message concurring in the proposition of the Senate to raise a Joint Select Committee of three on the part of

the Senate, and six on the part of the House, to ascertain and report the condition of the institution for the deaf, and dumb, and blind &c., and informing that the committee on the part of the House consists of Messrs. J. Turner, J. B. Bynum, W. J. Long, Foreman, Shimpock and Christmas.

Whereupon, Messrs. Washington, Watson, and Jones, of Wake, were appointed the committee on the part of the Senate.

Also, a message stating that Messrs. W. E. Hill, Miller, W. Long, B. F. Williams, and Teague form the Commons branch of the Committee on Enrolled Bills, for the present week.

On motion of Mr. Steele,

Resolved, That a message be sent to the House of Commons, proposing that the two Houses proceed, at 12 o'clock, this day, to the election of Secretary of State.

Received a message from the House of Commons, agreeing to the proposition of the Senate to go into the election of Secretary of State, at 12 o'clock this day, and stating that Messrs. Amis and S. P. Hill form their branch of the committee to superintend said election.

The bill to amend an act passed in 1850-51, to incorporate the Lewis Gold Mining Company, and the bill concerning the Conrad Hill Gold Mining Company, were read the second time and passed.

The bill to provide for paying tales jurors in the county of Northampton was read the second time, amended, on motion of Mr. W. Jones, by extending its provisions to the county of Wake, and passed as amended. On motion of Mr. Person,

the rules were suspended, and said bill read the third time, passed and ordered to be engrossed.

Mr. Person introduced a bill, accompanied by a memorial, to emancipate James Lankford, a slave ; which was read the first time and passed, and, on motion, said bill and memorial were referred to the Committee on Propositions and Grievances.

Mr. Murchison introduced a bill to incorporate the Kingsbury and Lockville Plank road company ; which was read the first time and passed, and, on motion, referred to the Committee on Corporations.

On motion of Mr. Withers,

Resolved, That, hereafter, when the Senate adjourn, it will be to meet at 10 o'clock each day, until otherwise ordered.

Mr. Cowper introduced a bill to incorporate the trustees of the Wesleyan Female College at Murfreesborough, in the county of Hertford : which was read the first time and passed, and, on motion, referred to the Committee on Corporations.

The hour agreed upon by the two Houses, for going into the election of Secretary of State, having arrived, Mr. Steele nominated William Hill for the appointment, and a message was sent to the House of Commons, stating that Messrs. Cunningham and Steele form the committee on the part of the Senate, to superintend said election, and that the Senate would proceed to vote on the return of the messenger.

The Senate then voted as follows :

FOR MR. HILL.

Messrs. Speaker, Albright, Albritton, Arendell, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cowper, Cunningham, Drake, Gilmer, Hargrave, Herring, Hoke, T. F. Jones, Wesley Jones, Joyner, Kelly, Kerr, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murchison, Murray, Palmer, Parks, Person, Shaw, Speight, Steele, Thomas, Ward Watson, Withers, and Willey—45.

On motion of Mr. Steele, the Senator from Hertford, Mr. Cowper, was added to the Committee on Finance.

The Speaker laid before the Senate the resignations of William Ives and Edmund Jones, Justices of the Peace for the county of Northampton; which were read and accepted and sent to the House of Commons.

The engrossed bill to incorporate the Gulf and Graham Plank Road Company, was read the second time, amended and passed.

The bill to incorporate the Pedee Plank Road Company, was read the second time, amended and passed.

The engrossed bill to amend an act passed in 1850 '51 chapter 133, entitled an act, to incorporate the Western Plank Road Company, was read the second time and passed.

The engrossed bill concerning the Superior Courts of Randolph, Alamance and Currituck counties, was read the second time and passed, and, on motion of Mr. Gilmer, the rules were suspended, and said bill read the third time, passed and ordered to be enrolled.

Mr. Cunningham, from the Committee appointed to superintend the election of Secretary of State, reported that William Hill, had received a majority of the whole number of votes given, and was duly elected.

Report concurred in.

The bill to exempt persons of 65 years of age and upwards from serving as jurors, was read the second time and rejected.

The engrossed bill to incorporate the Greensboro Mutual Life Insurance and Trust Company, was read the second time, and, on motion of Mr. Clark, ordered to be laid on the table.

The bill authorising Justices of the Peace to resign to the County Court and for other purposes, was read the second time, amended and passed.

The bill concerning the printing of the private acts of the General Assembly, was read the second time, and, on motion of Mr. Brogden, the further consideration of the same was postponed until the 4th day of March next.

The bill to expedite the trial of suits in certain cases in the Courts of law, was read the second time, and amended on motion of Mr. Mitchell.

Whereupon, on motion of Mr. Lillington, the said bill was laid upon the table and ordered to be printed.

On motion of Mr. Thomas, the Senate adjourned.

TUESDAY, NOV. 16th, 1852.

Mr. Drake, from the Committee on Claims, to whom was referred a resolution in favor of Rufus H. Page reported the same back to the Senate and recommended its adoption.

Ordered to lie on the table.

Mr. Watson, from the Committee on propositions and grievances, to whom was referred the bill to attach a part of Davidson County, to the County of Forsythe, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

On motion of Mr. Boyd,

Resolved, That the Committee on Finance be instructed to enquire into the propriety of so amending the Revenue Laws of last Session of the General Assembly as to embrace the following propositions :

1st. To equalise the tax on those who buy and sell slaves and those who buy and sell other species of trade.

2d. To amend the second section, so as to strike out the words, *bills receivable*, so that profits made by *banks* be placed on the same condition as others dividends or profits.

3d. To further amend the second section, so as to strike out the words: *That any person shall have thirty dollars of interest, dividend or profit*, and insert in lieu thereof, *six dollars*

4th. The propriety of laying an ad valorem tax on every species of personal property, not already taxed, except slaves, which are now exempted by the constitution.

Mr. Thomas introduced a bill to incorporate the Charleston, Blue Ridge and Chattanooga Rail Road Company, which was read the first time and passed; and, on motion of Mr. Joyner, referred to the Committee on Internal Improvements.

Mr. Cannady introduced a bill to incorporate Mount Energy Lodge, No. 140, in Granville county, which was read the first time and passed, and on motion referred to the Committee on Corporations.

The bill concerning the Conrad Hill Gold Mining Company, was read the third time, and ordered to be engrossed.

The engrossed bill to amend an act passed 1850-51, chapter 133, entitled an act to incorporate the Western Plank Road Company, was read the first time, passed and ordered to be enrolled.

The engrossed bill to attach a portion of the county of Wilkes, to the County of Alexander, was read the third time, and, on motion of Mr. Clark, ordered to be laid on the table.

The bill authorising Justices of the Peace to resign to the County Court and for other purposes, was read the third time passed and ordered to be engrossed.

The engrossed bill to incorporate the Gulf and Graham Plank Road Company, was read the third time and passed as amended, and a message sent to the House of Commons asking their concurrence in the amendments of the Senate.

The bill to amend an act passed in 1850-51, to incorporate the Lewis Gold Mining Company, was read the third time, passed and ordered to be engrossed.

The bill concerning public roads, ferries and bridges in the county of Bladen, was read the second time, and, on motion of Mr. Brogden, ordered to be laid on the table.

The engrossed bill to amend the 1st section of the 64th chapter of the Revised Statutes, was read the second time, and, on motion of Mr. Gilmer, ordered that said bill be laid on the table and printed, together with the substitute offered in lieu of the same.

The bill to amend the 1st Section of the 64th chapter of the Revised Statutes, entitled legacies, filial portions and distributive shares, was read the second time, and, on motion of Mr. Steele, ordered to be laid on the table.

The bill for the better administration of justice was read the second time, and, on motion of Mr. Kelly, ordered to be laid on the table.

The bill to increase the revenue of the State in the sale of its bonds, was read the second time, amended and passed.

The bill to amend an act passed at the session of 1850-51, entitled, an act to regulate the pay of jurors and witnesses in the County of Craven, was read the second time and passed.

The bill to lay off and establish a new county out of a portion of Ashe, to be called New River, was read the second time, and, on motion of Mr. Bower, the further consideration of the same was postponed until to-morrow, 12 o'clock, and made the special order of the day for that hour.

The bill giving the election of Clerks and Masters in Equity to the people, was read the second time and passed.

The bill for dividing the county of Iredell was now taken up, and, on motion of Mr. Parks, ordered to be laid on the table.

The engrossed bill to incorporate the Haywood and Chapel Hill Plank Road Company, was read the second time, amended and passed.

The bill to amend an act of the General Assembly of 1850-51, entitled an act to incorporate the Anson Plank Road Company, was read the second time and passed.

The engrossed bill to incorporate the Fayetteville and Raleigh Plank Road Company, was read the second time, amended and passed.

Received a message from the House of Commons, concurring in the amendment of the Senate to the engrossed bill to incorporate the Haywood and Pittsboro Plank Road Company.

Ordered that said bill be enrolled.

Also, a message from the House of Commons, stating that they have passed the following engrossed bills, in which they ask the concurrence of the Senate, viz:

"A bill to incorporate Science Hill Male and Female Academy, in the county of Randolph; which was read the first time and passed, and, on motion, referred to the Committee on Corporations.

"A bill to confirm the grant heretofore issued to B. H. Stanmire; which was read the first time, and passed, and, on motion, referred to the Committee on the Judiciary: and

"A bill to repeal an act, entitled an act to prevent the obstruction of the passage of fish at the inlets on the sea

coast of the State, passed at the session of 1850-'51; which was read the first time and passed, and, on motion, referred to the Committee on Propositions and Grievances.

The engrossed bill to incorporate the Greensboro Mutual Life Insurance and Trust Company, was now taken up, read the second time, amended, on motion of Mr. Clark, and passed.

On motion of Mr. Gilmer, the rules were suspended, and said bill further amended, on motion of Mr. Mitchell, read the third time and passed as amended; and a message sent to the House of Commons asking their concurrence in the amendments of the Senate.

Mr. Cowper introduced the following resolution, viz:

Resolved, That a message be sent to the House of Commons, proposing to go into an election to morrow at 12 o'clock, for a Solicitor for the first Judicial Circuit.

Which, on motion of Mr. Hoke, was ordered to be laid on the table.

On motion of Mr. Gilmer, the Senate adjourned.

WEDNESDAY, Nov., 17th 1852.

Mr. Clark, from the Committee on Corporations, to whom was referred the bill to incorporate Cumberland Academy,

reported the same back to the Senate, with an amendment, and recommended its passage.

Ordered to lie on the table.

Mr. Clark, from the committee to whom was referred the bill to incorporate Mount Energy Lodge, No. 140, in Granville county, reported the same back to the Senate and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Woodfin presented the memorial of Jesse R. Siler of Macon county; which, on motion, was referred to the Committee on Propositions and Grievances.

The bill to increase the revenue of the State in the sale of its bonds; the bill to amend an act passed at the session of 1850-'51, entitled an act to regulate the pay of jurors and witnesses in the county of Craven, and the bill to amend an act of the General Assembly of 1850-'51, entitled an act to incorporate Anson Plank Road Company, were severally read the third time, passed and ordered to be engrossed.

The engrossed bill to incorporate the Haywood and Chapel Hill Plank Road Company, was read the third time, passed as amended, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

The engrossed bill to incorporate the Fayetteville and Raleigh Plank Road Company was read the third time, passed as amended, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

Mr. Gilmer introduced the following resolution, which was adopted, viz:

WHEREAS, the principal Doorkeeper is confined by sickness:

Resolved, That the Assistant Doorkeeper be allowed to employ an Assistant, until the principal Doorkeeper shall be able to attend his duties.

The bill giving the election of Clerks and Masters in Equity to the people, was read the second time and rejected; ayes 18, noes 25.

Mr. Thompson demanded the yeas and nays.

Those who voted in the affirmative are.

Messrs. Albritton, Arendell, Barrow, Berry, Boyd, Brogden, Cannady, Collins, Cunningham, Hargrave, Herring, Kerr, Lane, McDowell, McMillan, Shaw, Watson and Withers—18.

Those who voted in the negative are :

Messrs. Albright, Bower, Bunting, Caldwell, Clark, Cowper, Drake, Gilmer, Hoke, T. F. Jones, Joyner, Kelly, Lillington, McClees, Mitchell, Murchison, Murray, Palmer, Parks, Speight, Steele, Thompson, Ward, Willey, and Woodfin—25.

Mr. Lillington moved to reconsider the vote by which was passed the bill to amend an act of the General Assembly of 1850-'51, entitled an act to incorporate the Anson Plank Road Company; which was agreed to.

Whereupon, Mr. Steele moved to amend the same, by striking out all after the enacting clause, and inserting a substitute in lieu thereof.

The amendment was agreed to, and the bill passed the third time, as amended, and was ordered to be engrossed.

Received a message from the House of Commons, concurring in the proposition of the Senate, that the General Assembly adjourn *sine die* on the 15th day of December next.

Also, a message stating that the House of Commons concur in the amendments of the Senate to the bill to incorporate the Gulf and Graham Plank Road Company.

Ordered that said bill be enrolled.

The resolution, allowing to Rufus H. Page the sum of \$50, was read the second time and passed, and, on motion of Mr. Boyd, the rules were suspended, and the resolution read the third time, passed and ordered to be engrossed.

The bill to attach a part of Davidson county to the county of Forsythe, was read the second time, and, on motion of Mr. Gilmer, ordered to lie on the table.

Mr. Hoke presented a bill to confirm grants issued for bounty lands for the use of iron works in this State; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

The hour of 12 o'clock having arrived, the Speaker announced the special order; being the bill to lay off and establish a new county by the name of New River; which was read the second time and amended, on motion of Mr. Bower, by striking out *New River* and inserting *Sevier*.

The bill was then put upon its passage and rejected—ayes 15, noes 23.

Those who voted in the affirmative are :

Messrs. Albright, Barrow, Bower, Boyd, Gilmer, Hoke, W. Jones, Kelly, Lane, Lillington, McMillan, Mitchell, Murchison, Palmer, Watson and Woodfin—16.

Those who voted in the negative are :

Messrs. Albritton, Arendell, Berry, Brogden, Bunting, Caldwell, Canady, Clark, Collins, Cowper, Cunningham, Drake, Hargrave, Herring, T. F. Jones, Joyner, Kerr, McClees, McDowell, Murray, Person, Shaw, Speight, Steele, Thompson, Ward, Withers and Willey—28.

On motion of Mr. Brogden, the Senate proceeded to the consideration of the bill, making Railroad Companies liable for damages done by fire from sparks falling from Locomotives, and the bill being read the second time, Mr. Brogden moved to amend the same by striking out the last clause of the first section, which was agreed to. Mr. Brogden moved further to amend the bill by inserting the following as section No. 3, viz :

§ 3 *Be it further enacted*, That it shall be lawful for the Sheriff, Constable, or other lawful officer, to serve any writ, warrant, or other process upon the President, Treasurer, or any of the Directors of said Railroad Company, or upon any of the Captains or Engineers in the service thereof, which shall be deemed and taken to be due and lawful notice of the service of process upon the Company, and upon the return of the writ executed by the Sheriff, or other proper officer of the county, the appearance of the Company shall be entered by the Clerk of the Court in the same manner as other actions at law are entered and their default may be entered for not pleading and the same process may be had against them in all respects, as if they had happened ; which said amendment was rejected.

The question was now taken on the passage of the bill and determined in the negative—ayes 8, noes 36.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Brogden, Drake, McClees, Murchison, Person, Ward, Watson and Withers.--8.

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Cannady, Clark, Collins, Cowper, Cunningham, Gilmer, Hargrave, Herring, Hoke, T. F. Jones, W. Jones, Joyner, Kelly, Kerr, Lane, Lillington, McMillan, Mitchell, Murray, Palmer, Parks, Shaw, Speight, Steele, Thompson, Willey and Woodfin.--36.

Received a message from the House of Commons, transmitting a communication from the Honorable Thos. Ruffin, resigning the office of Chief Justice of the Supreme Court of this State, with a proposition to print the same, and that it be referred to a Joint Select Committee, to consist of five members on the part of the House of Commons and three on the part of the Senate.

The proposition was concurred in, and the House of Commons informed that Messrs. Joyner, Caldwell and Gilmer, constitute said committee on the part of the Senate.

On motion of Mr. Woodfin, the Senate adjourned.

THURSDAY, Nov. 18th, 1852.

Mr. Watson, from the Committee of Propositions and Grievances, to whom was referred the bill to emancipate Jas. Lankford, a slave, reported the same back to the Senate, and recommended its passage.

Ordered to lie on the table.

Mr. Brogden introduced the following resolution, viz :

WHEREAS, it is well known that the inducements which were held out to the Eastern part of the State, and which alone secured the passage of the act chartering the North Carolina Railroad company, and the subscriptions of stock that secured its charter, and reconciled much dissatisfaction on account of said road, were, that it was to unite the Eastern and Western people in interest and affection, by trade and intercourse, and thus assist to build up important seaboard cities and markets in North Carolina, thus giving her that commercial and political importance to which she is properly entitled among her sister States of this Union. These and other important considerations entitle the people and their representatives to be informed whether said road is being built in such manner as will carry out, in good faith, the great objects and intentions of the charter aforesaid : Therefore,

Resolved, That the President and Directors of said North Carolina Railroad company be requested to inform the Senate, with as little delay as possible, whether the Raleigh Depot of said road has been located in the extreme Western limits of said city, and if so, whether such location was the act of a full board, or of one of the members thereof only? How many acres of land has been purchased there for said site, and at what cost? What is the exact elevation of such site above grade, and what will it cost to reduce it to grade? Whether John Buffalo, of the city of Raleigh, did not, before the said location was made, offer to one or more members of said board, to make a present of six acres of land, as a site for said depot, on the South side of Raleigh, just in the rear of the Government House Garden, and immediately in the track of said road, and does not one of the stakes of said track on the side of the Fayetteville road, marked "*grade*," show that said six acres were very nearly at grade, and required only a small expense to fit it for said depot? Whether William Ashley did not also offer to same Board, or some of its members, a site for said depot on his unimproved lots, on the South side of the Southern boundary street of said city, near Governor Manly's garden, and upon the line of said

road, or very near it, and whether the survey of said road does not show that said site was at grade, or nearly so, and would have cost but very little to grade it, and add land enough for all the necessary purposes of a depot at that place? And they are further requested to inform the Senate why these advantageous offers of sites for said depot, and where fairness and justice to the eastern part of the State required it should be located, were rejected, and a more expensive one selected, and at a spot that will intercept and favor the turning away from our own seaports, to markets beyond the State, of the Western trade, before it even fairly reaches as far South as Raleigh.

The question on the adoption of the resolution was determined in the negative—ayes 13, noes 27.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Albritton, Brogden, Bunting, Cunningham, Drake, Gilmer, Herring, Kerr, McClees, Murchison, Speight, Ward and Watson—13.

Those who voted in the negative are :

Messrs. Albright, Barrow, Berry, Bower, Boyd, Caldwell, Cannady, Collins, Cowper, Hargrave, Hoke, W. Jones, Kelly, Lane, Lillington, McDowell, McMillan, Murray, Palmer, Parks, Person, Shaw, Steele, Thompson, Withers, Willey and Woodfin—27.

So the resolution was rejected.

Mr. Kelly introduced a bill to extend the right of appeal, prevent unnecessary accumulation of cost, expedite justice, and for other causes ; which was read the first time and passed, and, on motion of Mr. Gilmer, referred to the Committee on the Judiciary.

Received from the House of Commons, the resignation of H. Dorsett, a Justice of the Peace, of Randolph county ; which was read and accepted.

Received a message from the House of Commons, concurring in the amendments of the Senate to the bill to incorporate the Greensboro' Mutual Life Insurance and Trust company.

Ordered to be enrolled.

Mr. Clark, from the Committee on Corporations, to whom was referred the bill to incorporate the Bank of Charlotte, reported the same back to the Senate, and recommended that the same do not pass.

Ordered to lie on the table.

Received a message from the House of Commons, transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz ;

"A bill to amend an act, entitled an act, to incorporate the Raleigh and Gaston Railroad company ; which was read the first time and passed, and, on motion of Mr. Joyner, referred to the Committee on Internal Improvements ; and

A bill to incorporate the town of Jonesville, in Yadkin county ;" which was read the first time and passed.

Also, a message agreeing to the amendments of the Senate to the engrossed bill to incorporate the Concord and Anson Plank Road company.

Ordered that said bills be enrolled.

Also, a message from the House of Commons, transmitting a communication from the Governor, accompanied by a report of the President of the Raleigh and Gaston Railroad company, with a proposition to print the same.

Concurred in.

The bill to incorporate Cumberland Academy, in the county of Cumberland, was read the second time, amended, and passed; on motion of Mr. Clark, the rules were suspended, and said bill read the third time, passed and ordered to be engrossed.

Mr. Withers moved to reconsider the vote by which the bill to lay off and establish a new county by the name of Sevier, was rejected; which was agreed to.

When, on motion of Mr. Bower, the said bill was ordered to be laid on the table.

On motion of Mr. McClees, the Senate adjourned.

FRIDAY, OCT. 19th, 1852.

Mr. Lillington, from the Committee on the Judiciary, to whom was referred the bill to confirm grants issued for bounty lands for the use of iron works in this State, reported the same back to the Senate and recommended its rejection.

Ordered to lie on the table.

Mr. Watson, from the Committee on Propositions and Grievances, to whom was referred the bill to repeal an act entitled an act to prevent the obstruction of the passage of fish at inlets on the sea coast of the State, &c., reported the same back to the Senate, and recommended its passage.

Ordered to lie on the table.

Mr. Caldwell introduced a bill, accompanied by a memorial, to repeal the sixth section of the act of 1338-'39, incorporating Davidson College and for other purposes ; which was read the first time and passed, and, on motion, said bill and memorial were referred to the Committee on Corporations.

Received a message from the House of Commons, transmitting the following engrossed bill, in which they ask the concurrence of the Senate, viz :

" A bill to provide for the appointment of a Superintendent of Common Schools and for other purposes; which was read the first time and passed, and, on motion of Mr. Boyd, referred to the Committee on Education and the Literary Fund.

Also, a message transmitting the report of the Comptroller of public accounts ; and a message from his Excellency the Governor, accompanied by the report of the President and Directors of the Board of Internal improvements, with a proposition to print the same.

Concurred in.

Mr. Boyd introduced a resolution in favor of Charles Sully Wheeler ; which was read the first time and passed, and, on motion, referred to the Committee on Claims.

The bill to emancipate James Lankford, a slave, was read the second time and passed, and, on motion of Mr. Person, the rules were suspended, and the bill read the third time, passed and ordered to be enrolled.

The enrolled bill to incorporate the town of Jonesville in Yadkin county, was read the second time and passed, and on motion of Mr. Steele, the rules were suspended, and the bill read the the third time, passed and ordered to be enrolled.

Mr. Woodfin, from the Committee on the Judiciary, to whom was referred the bill, to amend an act, entitled an act, providing for keeping a record of marriages in this State, at the session of 1850-'51, chapter 84, reported the same back to the Senate and recommended its rejection.

Ordered to lie on the table.

On motion of Mr. Steele, the bill to increase the capital stock of the Bank of Wadesborough was now taken up and referred to the Committee on Corporations.

Mr. Lillington, from the Committee on the Judiciary, to whom was referred the report of the Joint Select Committee on Tabular Statements, respecting the enumeration of the Indian population of Macon, Haywood and Cherokee, reported that the same should be enumerated.

On motion of Mr. McClees, the Senate adjourned.

SATURDAY, NOV. 20th, 1852.

Mr. Clark, from the Committee on Corporations, to whom was referred the bill to amend the Charter of Davidson College, reported the same back to the Senate and recommended its passage.

Ordered to lie on the table.

Mr. Watson, from the Committee on Propositions and Grievances, to whom was referred the bill to enlarge the powers of the Commissioners of the town of Newbern, reported the same back to the Senate, with an amendment, and recommended its passage.

Discharged accordingly.

Mr. Cunningham introduced a bill to declare what persons may intermarry; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

Mr. Kelly introduced a bill for better compensating Constables; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

Received a message from the House of Commons, proposing to go into the election of United States Senator this day at 12 o'clock; which was agreed to.

WHEREUPON, Mr. Bower nominated James C. Dobbin for the appointment; and a message was sent to the House of Commons, informing that Messrs. Murchison and Thompson constitute the committee to superintend said election on the part of the Senate.

The report from the Committee on the Judiciary, to whom was referred the report of the Committee on Tabular Statements, relative to the enumeration of Indian population, was now taken up and concurred in.

Mr. Woodfin, from the Committee on the Judiciary, to whom was referred the bill to amend an act, entitled an act

concerning the drainage of low lands, reported the same back to the Senate, and recommended its passage.

Ordered to lie on the table.

Mr. Woodfin, from the same Committee, to whom was referred the bill in relation to executors of last wills and testaments, reported the same back to the Senate, and recommended its rejection.

Ordered to lie on the table.

Mr. McDowell introduced a bill to incorporate the Bladen Steamboat company ; which was read the first time and passed, and, on motion, referred to the Committee on Corporations.

Mr. Steele introduced the following resolution, viz : ;

Resolved, That the State Librarian be directed to forward to John S. Meahan, Librarian of Congress, a copy of the acts of the General Assembly of this State, at the sessions, respectively, of 1833-'4, 1836-'7, 1838-'9, 1840-'1, 1844-'5, 1846-'7, 1848-'9, 1850-'1, and of each session of the General Assembly hereafter.

Which was read the first time and passed, and, on motion, the rules were suspended, and said resolution read the second and third times, passed and ordered to be engrossed.

On motion of Mr. Boyd, the report of the Committee on Tabular Statements was ordered to be printed.

Mr. Woodfin introduced a bill to amend an act, entitled an act concerning the Supreme Court, Revised Statutes, chapter 33; and to amend an act concerning Courts of

Justice, Practice, Pleas and Process, Revised Statutes, chapter 31, which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Drake, from the Committee on Propositions and Grievances, to whom was referred the resolution in favor of Charles Sully Wheeler, reported the same back to the Senate, and recommended its adoption.

Ordered to lie on the table.

Received a message from the House of Commons, informing that they have passed, unanimously, the following engrossed resolutions, in which they ask the concurrence of the Senate, viz :

Resolved, unanimously, That the General Assembly receives, reluctantly, and with deep regret, the announcement, that Thomas Ruffin has resigned his office of Chief Justice of the Supreme Court of this State.

2. *Resolved, unanimously,* That the pre-eminent ability, profound learning, and unspotted integrity which mark his long career as a Magistrate, command the warmest acknowledgments of this General Assembly, the gratitude of the people at large, and ever will be the ornament and pride of administrative justice in North Carolina.

3. *Resolved,* That the proceedings of the General Assembly, upon this resignation, be signed by the Speakers of both Houses, and transmitted to Chief Justice Ruffin.

And the said resolutions being read, were unanimously adopted and ordered to be enrolled.

Received a message from the House of Commons, transmitting the following engrossed bill, in which they ask the concurrence of the Senate, viz :

"A bill to establish the Farmers' Bank of North Carolina;" which was read the first time and passed, and, on motion of Mr. T. F. Jones, made the special order of the day for Monday next, at the hour of 11 o'clock.

The said message was accompanied by a communication from the Governor, transmitting the report of the State Agent for the collection of Cherokee bonds, &c., and the report of the commissioner of the Western Turnpike road, with a proposition to print the same; which was concurred in.

Received a message from the House of Commons, transmitting the report of the Public Treasurer, with a proposition that the same be printed, which was agreed to.

The bill to confirm grants issued for bounty lands, for the use of iron works in this State, was read the second time and rejected.

The engrossed bill to repeal an act, entitled an act to prevent the obstruction of the passage of fish at inlets on the seacoast of the State, &c., was read the second time, and, on motion of Mr. Joyner, the said bill was made the special order of the day for Tuesday next, at the hour of 11 o'clock.

The bill to incorporate the Bank of Charlotte was read the second time, and, on motion of Mr. Caldwell, made the special order for Monday next, at 12 o'clock.

The engrossed bill to amend an act, entitled an act, providing for keeping a record of marriages in this State, passed at the session of 1850-'51, was read the second time and rejected.

Mr. Washington, from the Committee on Education, and the Literary Fund, to whom was referred the bill to amend an act, entitled an act, to incorporate Union Institute in Randolph county, a Normal College, reported the same back to the Senate, with sundry amendments, and recommended its passage.

Ordered to lie on the table.

On motion of Mr. McClees,

Resolved That the Committee on Military Affairs be instructed to enquire and report what disposition has been made of the public arms which have been apportioned off to the several counties.

On motion of Mr Kelly, the Senate now took up the engrossed bill concerning public roads, ferries and bridges in the county of Bladen ; which was read the second time and rejected.

Mr. Mitchell introduced a bill to insure greater certainty in the lists of taxable property ; which was read the first time and passed, and, on motion, referred to the Committee on Finance.

Mr. Gilmer presented the memorial of the Grand Division of the Sons of Temperance, praying that the traffic in liquor be prohibited in this State ; which, on his motion, was ordered to be laid on the table and printed.

Received a message from the House of Commons, stating that the hour of 12 o'clock having arrived, they would proceed to the election of United States Senator, according to the joint agreement of the two Houses ; that the names of R. M. Saunders and James B. Shepard, were added to the nomination for said appointment, and that Messrs.

Strange and Spruill form their branch of the committee to superintend the election.

The Senate, under the superintendence of Messrs. Thompson and Murchison, then voted as follows:

FOR JAMES C. DOBBIN.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Bunting, Brogden, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Ward and Withers—27.

FOR JAMES B. SHEPARD.

Messrs. McClees and Watson.—2

FOR HENRY W. MILLER.

Messrs. Albright, Gilmer, Kelly, Lane, Lillington, Parks and Thompson—7

FOR EDWARD STANLY.

Messrs. Albritton, Arendell and Murray—3

FOR WILLIAM A. GRAHAM.

Messrs. Joyner, Palmer and Richardson—3.

FOR LEWIS THOMPSON.

Messrs. Cowper and Willey—2.

Mr. T. F. Jones voted for John A. Gilmer.

Mr. Mitchell voted for John Baxter.

Mr. Steele voted for David Outlaw.

Mr. Washington voted for Kenneth Rayner.

Mr. Woodfin voted for David L. Swain.

Mr. Mitchell introduced a bill for the protection of sheep ; which was read the first time and passed, and, on motion, referred to the Committee on Propositions and Grievances.

Mr. Gilmer moved that the Senate do now adjourn, which was not agreed to—ayes 7, nays 38.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Albright, Arendell, Gilmer, Kelly, Lane, Parks and Wood.
fin—7

Those who voted in the negative, are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cowper, Cunningham, Drake, Hargrave, Herring, Hoke, T. F. Jones, W. Jones, Joyner, Kerr, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Palmer, Person, Richardson, Shaw, Speight, Steele, Thomas, Ward, Washington, Withers and Willey--38.

Mr. Thompson, from the Committee appointed to superintend the election of United States Senator, reported that no person in nomination having received a majority of the whole number of votes given, there is no election.

The report was concurred in.

Mr. Hoke moved that a message be sent to the House of Commons, proposing to vote again forthwith for United States Senator.

Mr. T. F. Jones moved an adjournment ; which was not agreed to.

The proposition of Mr. Hoke was then concurred in, and a message sent accordingly.

Mr. McDowell moved an adjournment, which was disagreed to—ayes 7, noes 37.

Mr. Woodfin demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. T. F. Jones, W. Jones, McClees, McDowell, Mitchell, Richardson and Woodfin—7

Those who voted in the negative are,

Messrs. Albright, Albritton, Arendell, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Cowper, Cunningham, Drake, Gilmer, Hargrave, Herring, Joyner, Kerr, Lane, Lillington, McMillan, Murchison, Murray, Palmer, Parks, Person, Shaw, Speight, Steele, Thomas, Thompson, Ward, Washington, Withers and Wiley—37.

Mr. Gilmer moved that the Senate do now take a recess until 3 o'clock; which was not agreed to—ayes 7, noes 38.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albritton, Bower, Cannady, Gilmer, Kelly, McDowell, and Parks—7

Those who voted in the negative are:

Messrs. Albright, Arendell, Barrow, Berry, Boyd, Brogden, Bunting, Caldwell, Clark, Collins, Cowper, Cunningham, Drake, Hargrave, Herring, T F. Jones, W Jones, Joyner, Kerr, Lane, Lillington, McClees, McMillan, Mitchell, Murchison, Murray, Palmer, Person, Richardson Shaw, Speight, Steele, Thomas, Thompson, Washington, Withers, Wiley and Woodfin—38.

On motion of Mr. Washington, the Senate adjourned.

MONDAY, Nov. 22d, 1852.

The Speaker announced that Messrs. Palmer, Drake and Jones, of Wake, constitute the Committee on Enrolled Bills, for the present week.

Received a message from the House of Commons, proposing that the two Houses go into an election for Senator of the United States, this day at 12 o'clock ; which was concurred in, and Messrs Washington and Jones, of Wake, appointed the committee on the part of the Senate to superintend said election.

The said message announced that Messrs McNeill, Simons, Bryant, Mills and Fonville form their branch of the Committee on Enrolled Bills, the present week.

Received from the House of Commons, the resignation of James E. Hoyt, a Justice of the Peace, of Beaufort county ; which was read and accepted.

Mr. Washington presented the pension certificate of Zilpha Crocker, of the county of Wayne ; which was ordered to be countersigned by the Speaker of the Senate, and transmitted to the House of Commons.

Mr. Washington presented the memorial of sundry citizens of Craven county, praying for the extension of the Central

Railroad ; which was ordered to be transmitted to the House of Commons.

Mr. Gilmer, from the Committee on the Judiciary, to whom was referred the bill abolishing trial by jury, in the County Courts, and for the more speedy and certain administration of justice, reported a substitute for the same, and recommended its passage.

Ordered to lie on the table.

Mr. Clark, from the Committee on Corporations, to whom was referred the bill to increase the capital stock of the Bank of Wadesboro, reported the same back to the Senate without amendment.

Ordered to lie on the table.

Mr. Clark, from the same committee, to whom was referred the bill to incorporate the Trustees of the Wesleyan Female College, reported the same without amendment.

Ordered to lie on the table.

Mr. Joyner, from the Committee on Swamp Lands, to whom was referred a resolution on the subject, reported the following, which was agreed to, viz .

Resolved, That the President and Directors of the Literary Fund be requested to inform the Senate, if they have any satisfactory information on the subject, the number of acres of swamp lands vested in the said board, by law, free from dispute as to title, what number of acres in dispute between the board, on the one side, and individuals and companies, on the other side, and where situated, and what arrangements, if any, have been made in regard to the sale of the swamp lands, or any part of them, and such other information on the subject of this inquiry, as they may deem expedient.

Mr. T. F. Jones introduced the following resolution, which was rejected, viz :

Resolved, That a message be sent to the House of Commons, proposing to go into the election of a Judge of the Supreme Court, to fill the vacancy occasioned by the resignation of Judge Ruffin, on to-morrow at 12 o'clock.

Mr. Steele presented the following resolution, which was adopted, viz .

Resolved, That a message be sent to the House of Commons, proposing to go into an election of Attorney General of the State, this day at half-past eleven o'clock.

Mr. McMillan moved a reconsideration of the vote by which the above resolution was adopted, which was agreed to, and the resolution rejected.

Mr. Clark introduced the following resolution, viz :

Resolved, That it shall be established as a joint rule of the two Houses, that no bill shall be introduced into the Senate or House of Commons during the present session, after the tenth day of December next.

Mr. Thomas moved that said resolution be laid on the table ; which motion was disagreed to—ayes 8, noes 35.

Mr. Thompson demanded the yeas and nays.

Those who voted in the affirmative are.

Messrs. Gilmer, Kelly, Lane, Lillington, McDowell, Murchison, Parks and Thomas—8.

Those who voted in the negative are :

Messrs. Albright, Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cowper, Cunningham,

Drake, Hargrave, Herring, T. F. Jones, W. Jones, Joyner, Kerr, McClees, McMillan, Mitchell, Murray, Palmer, Person, Richardson, Shaw, Speight, Steele, Thompson, Ward, Withers and Willey—35.

Motions were severally made by Messrs. T. F. Jones and Lillington, to amend the said resolution, and rejected.

Mr. Gilmer moved to amend the same, by inserting the word *private*; which was rejected, and before any question was taken on the passage of the bill, the hour of 11 o'clock having arrived, the Senate proceeded to the consideration of the special order, viz :

The engrossed bill to establish the Farmer's Bank of North Carolina; and the said bill being read the second time, Mr. Clark moved to amend the second section of the same, by striking out after the words, "*gold and silver*" the words "*or their equivalent.*"

After some time spent in debate, the further consideration of the subject was suspended.

Received a message from the House of Commons, stating that the hour of 12 having arrived, they would proceed to vote for United States Senator, in pursuance of the joint order, and that Messrs. J. B. Bynum and Holeman form their branch of the committee to superintend the election.

The Senate, under the superintendence of Messrs. W. Jones and Washington, then voted as follows :

FOR JAMES C. DOBBIN.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Bunting, Brogden, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Ward and Withers—27.

FOR MR. SAUNDERS.

Messrs. Gilmer and Woodfin—2,

FOR MR. SHEPARD.

Messrs. Albright, Arendell, Cowper, McClees, Parks, Washington and Willey—7

FOR MR. RAYNER.

Messrs. Bynum and T. F. Jones—2,

FOR MR. GRAHAM.

Messrs. Joyner, Murray, Palmer and Richardson—4

FOR MR. SWAIN.

Messrs. Kelly and Mitchell—2.

FOR MR. MILLER.

Messrs. Lane and Lillington—2,

For Mr. Lillington, Mr Albritton.

Mr. Thompson voted for Edward Stanly.

Mr. Steele voted for David A. Outlaw.

The Senate now resumed the consideration of the engrossed bill to establish the Farmer's Bank of North Carolina: the question being on the amendment of Mr. Clark; and the vote being taken thereon, the same was rejected.

Mr. Clark then moved to amend the third section of the bill, by striking out the words, "and generally to do and execute all acts, matters and things which a corporation

and body politic in law may or can lawfully execute;" which said mendment was disagreed to.

Mr. Clark moved to amend the 4th section of the bill, by striking out so much of the same as authorises the establishment of a branch; which was not agreed to.

Mr. Bower offered the following amendment to the bill, to come in as section 16, viz:

Be it further enacted, That the twenty-five cents imposed by the charter upon the share of one hundred dollars shall be considered as a bonus for the privilege of banking granted by the charter, and that the capital in said bank, shall be subject to the same tax that is now imposed by the revenue laws on capital invested in other business, or that may hereafter be imposed by law, on such capital.

Mr. Gilmer moved to amend the amendment, by adding the following, viz: and that the tax on all capital loaned or vested, from and after the passage of this act, shall be five cents on every dollar of interest or profit, instead of three cents, as now provided by law; which said amendment to the amendment was rejected.

The question now recurred on the adoption of the amendment offered by Mr. Bower, and was determined in the negative—ayes 20, noes 26.

Mr. Bower demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs Barrow, Berry, Bower, Boyd, Brogden, Bunting, Bynum, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Mitchell, Shaw, Speight and Withers—20.

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Caldwell, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Kerr, Lane, Lillington, McClees, McDowell, McMillan, Murchison, Murray, Palmer, Parks, Richardson, Steele, Thompson, Ward, Washington Willey and Woodfin—26.

So the amendment was rejected.

The question now recurred on the passage of the bill, its second reading, and was determined in the affirmative—ayes 26, noes 20.

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albright, Albritton, Arendell, Boyd, Brogden, Caldwell, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Murchison, Murray, Palmer, Parks, Richardson, Steele, Thompson, Ward, Washington, Withers, Willey and Woodfin.—26.

Those who voted in the negative are :

Messrs Barrow, Berry, Bower, Bunting, Bynum, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Mitchell, Shaw, and Speight.—20.

A message was sent to the House of Commons, asking their concurrence in the engrossed bill of the Senate to to emancipate James Lankford, a slave.

Mr. Boyd, on leave, introduced a bill to incorporate the Bank of the Tobacconists of North Carolina, which was passed the first time, and on motion, ordered to be printed.

Mr. Washington, from the committee appointed to superintend the election for a Senator of the United States, reported that no person in nomination having received a majority of the whole number of votes given, there is no election.

On motion of Mr Hoke, the Senate adjourned.

TUESDAY, Nov. 23rd, 1852.

Mr. Clark, from the Committee on Corporations, to whom was referred the bill to incorporate the Bladen Steamboat Company, reported the same back to the Senate with an amendment.

Ordered to lie on the table.

Mr. Cooper, from the Committee on Finance, to whom was referred the bill to ascertain the whole amount of taxes paid by the people of North Carolina, reported the same back to the Senate, and recommended its passage.

Ordered to lie on the table.

Mr. Thomas introduced the following resolution, viz :

Resolved, That our Senators and Representatives in Congress be respectfully requested to use their influence in favor of the establishment of a Naval Depot at Beauford Harbor, in this State ; which was read the first time and passed.

Mr. Thomas presented the following resolution, viz :

Resolved, That our Senators and Representatives in Congress be requested to use their influence in favor of abolishing the duties upon railroad iron ; which was read the first time and passed.

Received a message from the House of Commons, transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz :

A bill to incorporate the Trustees of the Hillsboro Academy ; which was read the first time and passed.

A bill to amend the 4th section of an act passed at the session of 1832-'33, entitled an act compensating jurors of the original panel in the county of Beaufort ; which was read the first time and passed.

A bill to attach part of the county of Yadkin to the county of Forsyth ; which was read the first time and passed, and, on motion, referred to the Committee on Propositions and Grievances.

A bill to amend the first section of the 20th chapter of the Revised Statutes, so as to give the election of Clerks and Masters to the people ; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

A bill in relation to partnership and other debts ; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

A bill to do away with collateral warrantees ; which was read the first time and passed, and, on motion referred to the Committee on the Judiciary.

Received a message from the House of Commons, proposing to raise a Joint Select Committee of five on the part of the Commons and three on the part of the Senate, to enquire into the expediency of establishing a State lottery, for the purpose of raising an internal improvement and education fund ; which was concurred in.

And the Commons informed that Messrs. Bynum, Person and McDowell, constitute the Senate's branch of the committee on the subject.

Also, a message transmitting a communication from the Governor, accompanied by the report of Professor Emmons, with a proposition to print 3000 copies of the same.

Concurred in.

On motion of Mr. Caldwell, the bill to incorporate the Bank of Charlotte, was now taken up and made the special order for this day at 12 o'clock.

Mr. Albright introduced a bill to protect the good citizens of this State against a great nuisance; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary, and ordered to be printed.

The Senate now resumed the consideration of the unfinished business of yesterday, viz :

The resolution of Mr. Clark, declaring that no bill shall be introduced into either House of the Legislature after the 10th of December next.

The question on the adoption of the resolution was determined in the affirmative—ayes 35, noes 10.

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Cannady, Clark, Cowper, Cunningham, Hargrave, T. F. Jones, W. Jones, Joyner, Kerr, McClees, McDowell, McMullan, Mitchell, Murchison, Murray, Palmer, Person, Richardson Shaw, Speight, Steele, Thompson, Ward, Watson, Withers, Willey and Woodlin—35.

Those who voted in the negative are,

Messrs. Albright, Arendell, Bynum, Caldwell, Gilmer, Kelly, Lane, Lillington, Parks, and Washington—10.

Received a message from the House of Commons, transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz :

A bill to pay tales jurors; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

A bill to amend the 53d section of the 34th chapter of the Revised Statutes ; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

A bill to prohibit the sale of spirituous liquors to free persons of color ; which was read the first time and passed, and, on motion, referred to the Committee on Propositions and Grievances.

A bill to incorporate Carolina Lodge, No. 141, of Ancient York Masons, in the county of Anson ; which was read the first time and passed, and, on motion, referred to the Committee on Corporations.

A bill to amend the fifth section of an act concerning Common Schools, passed in 1844 ; which was read the first time, and, on motion, referred to the Committee on Education and the Literary Fund.

A bill to incorporate the Franklinsville Manufacturing company, in the county of Randolph ; which was read the first time and passed, and, on motion, referred to the Committee on Corporations; and

A bill to incorporate the Lumberton and Cape Fear Plank Road Company ; which was read the first time, passed, and, on motion, referred to the Committee on Corporations.

A message was sent to the House of Commons, stating that the Senate have passed the resolution in favor of Rufus H. Page, in which they ask the concurrence of that body.

The Senate now proceeded to the consideration of the special order, being the engrossed bill to repeal an act, enti-

bled "an act to prevent the obstruction of the passage of fish at inlets on the seacoast of the State," passed at the session of 1850-'51.

The said bill was read the second time and passed—ayes 23, noes 17.

Mr. McMillan demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Arendell, Barrow, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Collins, Cunningham, Herring, Hoke, W. Jones, Kelly, Kerr, Lane, Lillington, McDowell, McMillan, Murchison, Murray, Shaw, Speight, Thomas, Ward, Washington and Watson—28.

Those who voted in the negative are:

Messrs. Albritton, Berry, Bynum, Clark, Cowper, Gilmer, Haigrave, T. F. Jones, Joyner, McClees, Mitchell, Palmer, Richardson, Thompson, Withers, Willey and Woodfin—17.

The bill to increase the capital stock of the Bank of Wadesborough was read the second time and passed.

The hour of 12 having arrived, the Senate proceeded to the consideration of the special order, being the bill to incorporate the Bank of Charlotte: the said bill was read the second time, amended and passed—ayes 28, noes 17.

Mr. Cannady demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Arendell, Boyd, Brogden, Bynum, Caldwell, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McMillan, Mitchell, Murchison, Murray, Palmer, Parks, Richardson, Steele, Thomas, Thompson, Ward, Washington, Withers and Woodfin—28.

Those who voted in the negative, are :

Messrs. Albritton Barrow, Berry, Bower, Bunting, Cannady, Clark, Collins, Cunningham, Hargrave, Herring, W. Jones, Kerr, Person, Shaw, Speight and Watson—17,

The bill to enlarge the powers of the commissioners of the town of Newbern, was read the second time, the amendments recommended by the committee rejected, and the said bill passed its second reading ; on motion of Mr. Brogden, the rules were suspended, and the bill read the third time, passed and ordered to be engrossed.

The bill to establish the Farmers' Bank of North Carolina was read the third time.

Mr. Bynum moved to amend the fourth section of the bill, by striking out so much of the same as relates to the establishment of a branch, which motion was disagreed to.

The question now recurred on the passage of the bill, its third and last reading, and was determined in the affirmative: Ayes 28, noes 17.

Mr. Bynum demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Arendell, Boyd, Brogden, Caldwell, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McMillan, Murchison, Murray, Palmer, Parks, Person, Richardson, Steele, Thomas, Thompson, Ward, Washington, Withers and Woodfin.—28.

Those who voted in the negative, are :

Messrs. Barrow, Berry, Bower, Bunting, Bynum, Cannady, Clark, Collins, Cunningham, Hargrave, Herring, W. Jones, Kerr, McDowell Shaw, Speight, and Watson—17.

Ordered that said bill be enrolled.

Mr. Bynum introduced a bill to regulate appeals to the Supreme Court, in the sixth Judicial Circuit; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

Mr. Thomas, from the Committee on Internal Improvements, to whom was referred the bill to incorporate the Charleston, Blue Ridge and Chattanooga Railroad Company, reported the same back to the Senate, with an amendment.

Ordered to lie on the table.

On motion of Mr. Lillington, the Senate adjourned.

WEDNESDAY, Nov. 24th, 1852.

Mr. Clark, from the Committee on Corporations, to whom was referred the bill to incorporate the Charlotte, North Carolina, and Cheraw South Carolina Plank Road Company, reported the same back to the Senate with amendments.

Ordered to lie on the table.

Mr. Clark, from the same committee, to whom was referred the bill to incorporate the Kingsbury and Lockville Plank Road Company, reported the same back to the Senate with sundry amendments.

Ordered to lie on the table.

Mr. Washington, from the Committee on Education, &c., to whom was referred the bill to amend the 9th section of

an act concerning Common Schools passed in 1844, reported the same back to the Senate and recommended its passage.

Ordered to lie on the table.

Mr. Woodfin, from the Committee on the Judiciary, to whom was referred the bill to regulate the salary of the Attorney General and Solicitors, and for other purposes, reported the same back to the Senate with an amendment.

Ordered to lie on the table.

Mr. Woodfin, from the same committee, to whom was referred a bill concerning the sale and inspection of lumber and ton-timber at Wilmington, or other points on the Cape Fear river, reported the same back to the Senate with an amendment.

Ordered to lie on the table.

Mr. Watson, from the Committee on Propositions and Grievances, to whom was referred the bill to prohibit the sale of spirituous liquors to free persons of color, reported the same back to the Senate, and recommended its passage.

Ordered to lie on the table.

Received a message from the House of Commons, proposing to go into an election for United States Senator this day at 11 o'clock.

Mr. Hoke moved that said message be laid on the table ; which was carried—ayes 22, noes 20.

Mr. Cowper demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Cannady, Clark, Collins, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Ward and Withers—22.

Those who voted in the negative are :

Messrs. Albright, Albritton, Bynum, Gilmer, Cowper, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Murray, Palmer, Richardson, Steele, Thompson, Washington, Watson, Willey and Woodfin—20.

Mr. Lillington offered the following resolution, which was rejected, viz :

Resolved, That a message be sent to the House of Commons, proposing to go into the election for Attorney General this day at 12 o'clock.

Mr. Clark moved to reconsider the vote of yesterday, by which 3000 copies of Professor Emlen's report was ordered to be printed ; not agreed to.

Mr. Caldwell moved to take up from the table the message from the House of Commons, proposing to go into the election of United States Senator, this day at 11 o'clock ; which motion was agreed to—the message concurred in, and the House of Commons informed that Messrs Bunting and Steele form the Senate's branch of the committee to superintend said election.

Mr. Washington introduced a bill to incorporate the People's bank in the town of Newbern, in the county of Craven ; which was read the first time and passed.

Ordered to be laid on the table and printed.

Received a message from the House of Commons, transmitting the report of the President and Directors of the Institute for the education of the Deaf and Dumb, &c., with

a proposition to print the same ; which was concurred in, and, on motion of Mr. Washington, ordered that said report be referred to the committee on the subject.

Received a message from the House of Commons, transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz :

A bill to incorporate the bank of Yanceyville : and

A bill to incorporate the Greensboro and Deep river Plank Road Company ; which were severally read the first time and passed.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and resolution, in which they ask the concurrence of that body, viz :

A bill to enlarge the powers of the Commissioners of the town of Newbern ;

A bill authorizing Justices of the Peace to resign to the county Court, and for other purposes ;

A bill to amend an act passed in 1850-'51, to incorporate the Lewis Gold Mining Company ;

A bill to provide for paying tales jurors in the county of Northampton ;

A bill to amend the charter of the Anson Plank Road Company ;

A bill to amend an act passed at the session of 1850-'51, entitled an act to regulate the pay of Jurors and Witnesses in the county of Craven ;

A bill to incorporate Cumberland Academy, in the county of Cumberland ;

A bill to incorporate the Haywood and Raleigh Plank Road Company ;

A bill to incorporate the Pedee Plank Road Company ;

A bill to increase the revenue of the State in the sale of its bonds: and

A resolution to furnish the library of Congress with certain volumes of the acts of the General Assembly of this State.

Received a message from the House of Commons, stating that the hour of 11 o'clock having arrived, they would proceed to vote on the return of the messenger for a Senator of the United States, according to the joint agreement of the two Houses, and that Messrs Wilder and Jones form their branch of the Committee to superintend the election.

The Senate, under the superintendence of Messrs. Steele and Bunting, then voted as follows :

FOR JAMES C. DOBBIN.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Hargrave, Hoke, W. Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas Herring, Jones, Ward and Withers--26.

FOR MR. SAUNDERS.

Messrs. Arendell, Gilmer and Woodfin--3.

FOR MR. SHEPARD

Messrs. Albright, Cowper, Lane, Murray, Parks, Washington and Watson--7.

FOR MR. GRAHAM.

Messrs. Kelly, Mitchell, Palmer, and Steele--4

FOR MR. JOYNER.

Messrs. T. F. Jones and Richardson—2.

FOR MR. MILLER.

Messrs. Joyner and Lillington—2,

FOR MR. EDWARDS.

[Messrs. McClees and Thompson—2.

Mr. Albritton voted for Mr. Lillington.

And Mr. Bynum voted for Mr. Rayner.

Mr. Jones, of Wake, introduced a bill to amend an act incorporating the Raleigh Savings' Institution ; which was read the first time and passed, and, under a suspension of the rules, the bill was read the second and third times, passed and ordered to be engrossed.

Mr. Washington introduced a bill to incorporate the Swift Creek Plank Road company ; which was read the first time and passed, and, on motion, referred to the Committee on Corporations.

On motion of Mr. Mitchell, the bill to expedite the trial of suits in certain cases, in the Courts of Law, was now taken up, read the second time and rejected.

Mr. Steele, from the Committee appointed to superintend the election of United States Senator, reported that no person in nomination having received a majority of the votes given, there is no election.

Concurred in.

Received a message from the House of Commons, proposing to vote again forthwith for United States Senator ;

which was concurred in, and Messrs. Steele and Bunting appointed the committee to superintend the election on the part of the Senate, and the House of Commons informed thereof.

Mr. Washington introduced a bill, accompanied by a memorial, to amend the charter of the Neuse River Navigation company ; which was read the first time and passed, and, on motion, referred to the Committee on Propositions and Grievances.

Received a message from the House of Commons, stating that the committee on the part of the House upon the subject of raising a Lottery, for the purposes of internal improvements and education, consists of Messrs. McEntire, Mooring, Jones, W. E. Hill and Walton ;

And that Messrs. D. Reid and Leach form their branch of the committee to superintend the election of United States Senator, and that the House of Commons would proceed to vote on the return of the messenger.

The Senate, under the superintendence of Messrs. Steele and Bunting, then voted as follows :

FOR MR. DOBBIN.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Bunting, Brogden, Caldwell, Cannady, Clark, Collins, Cunningham, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Ward and Withers—26.

FOR MR. SAUNDERS

Messrs. Gilmer and Woodfin.

FOR JAMES B. SHEPARD.

Messrs. Albright, Lane, Murray, Parks, Watson and Washington—6.

FOR MR. RAYNER.

Messrs. Bynum, Cowper, Palmer, Richardson and Steele—5.

FOR MR. EDWARDS.

Messrs. Arendell, Joyner, Lillington, McClees and Thompson—5.

FOR MR. JOYNER.

Messrs. T. F. Jones, Kelly, and Mitchell.

Mr. Albritton voted for Mr. Lillington.

Mr. Bynum introduced a bill, accompanied by a memorial and counter memorial, to establish the county of Ruffin ; which was read the first time and passed, and, on motion, said bill and memorials were referred to the Committee on Propositions and Grievances.

On motion of Mr. Washington, the Senate proceeded to the consideration of the bill to amend an act to incorporate Union Institute, in Randolph county, a Normal College ; which was read the second time, amended and passed. On motion of Mr. Washington, the rules were suspended, and the bill read the third time, passed and ordered to be engrossed.

Mr. Gilmer introduced the following preamble and resolution, which were adopted, viz :

WHEREAS, To-morrow (Thursday) is the day appointed by the Governor of this State, in accordance with the recommendation of the Legislature, for a general Thanksgiving,

Resolved, -That a message be sent to the House of Commons, proposing that the two Houses adjourn until Friday.

Mr. Steele, from the committee appointed to superintend the election of United States Senator, reported that no person in nomination having received a majority of the whole number of votes given, there is no election.

Concurred in.

On motion of Mr. Hoke,

Ordered, That a message be sent to the House of Commons, proposing that the two Houses vote again forthwith for United States Senator.

On motion of Mr. Parks, the bill to divide the county of Fredell was now taken up and read the second time, but before any question was taken thereon, the consideration of the same was temporarily suspended, to receive

A message from the House of Commons, proposing that the two Houses, when they adjourn this day, do adjourn to meet on Friday next at 10 o'clock; which was agreed to.

Also, a message from the House of Commons, proposing to go forthwith into the election for United States Senator, which proposition was concurred in, and the House of Commons informed that Messrs. Steele and Bunting form the Committee on the part of the Senate, to superintend said election.

Received a message from the House of Commons, informing that Messrs. Fagg and Jarvis form their branch of the Committee, to superintend the election for United States Senator, and that they would proceed to vote on the return of the messenger.

The Senate then voted as follows:

FOR MR. DOBBIN.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Ward and Withers.--26.

FOR MR. SAUNDERS.

Messrs. Arendell, Gilmer, Steele, and Woodfin.--4.

FOR MR. SHEPARD.

Messrs. Albright, Cowper, Lane, McClees, Murray, Parks, Thompson, Washington and Watson--9.

FOR MR. JOYNER.

Messrs. T. F. Jones, Lillington and Mitchell--3.

FOR MR. RAYNER.

Messrs. Bynum, Palmer and Richardson--3.

Mr. Albritton voted for Mr. Lillington.

Mr. Joyner, for Mr. T. F. Jones.

And Mr. Kelly for Mr. Woodfin.

The Senate now resumed the consideration of the bill to divide the county of Iredell, and the question recurring on the passage of the bill on its second reading, was determined in the negative.--ayes 8, noes 33.

Mr. Steele demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Albright, Barrow, Bower, Boyd, Brogden, Murray, Parks and Washington..8.

Those who voted in the negative are,

Messrs. Albritton, Berry, Bunting, Caldwell, Cannady, Clark, Collins, Cowper, Cunningham, Hargrave, Herring, T. F. Jones, W. Jones, Kelly, Kerr, Lane, McClees, McDowell, McMillan, Mitchell, Murchison, Palmer, Richardson, Shaw, Speight, Steele, Thompson, Person, Ward, Watson, Withers, Willey and Woodfin..33.

So the bill was rejected.

The bill to increase the Capital Stock of the Bank of Wadesborough, and the bill to incorporate the Bank of Charlotte, were severally read the third time, passed and ordered to be engrossed.

Received a message from the House of Commons, stating that they have passed the engrossed bill from the Senate, concerning the Seaboard and Roanoke Railroad Company, with amendments, in which they ask the concurrence of the Senate. The amendments were agreed to and the House of Commons informed thereof.

Mr. Steele, from the committee appointed to superintend the election for a Senator of the United States, reported, that no person in nomination having received a majority of the whole number of votes given, there is no election. Report concurred in.

The bill to amend an act, entitled "an act concerning the draining of low lands," was read the second time and passed.

On motion of Mr. Thomas, the bill to incorporate the

Charleston, Blue Ridge and Chattanooga Railroad Company, was now taken up and read, the amendments proposed by the Committee agreed to, and, on his motion, the report of the committee ordered to be printed.

On motion of Mr. Thomas, the Senate adjourned.

FRIDAY, NOV. 26th 1852.

Mr. Boyd introduced a petition of sundry citizens of Rockingham County, and others, praying for the establishment of a bank at Lawsonsville in said county, which was ordered to lie on the table.

Mr. Clark from the Committee on corporations, reported back to the Senate, the bill to incorporate the Lumberton and Cape Fear Plank Road company, with sundry amendments.

Ordered to lie on the table.

Mr. Clark from the same committee reported back the bill to incorporate the Chapel Hill and Durhamville Plank Road Company, with sundry amendments.

Ordered to lie on the table.

Mr. Washington, from the Committee on Education, reported back to the Senate, the engrossed bill to provide for

the appointment of a superintendent of Common Schools and for other purposes, and recommended its passage; which on motion of Mr. Cunningham, was postponed until Monday next, and made the special order for that day at the hour of 12 o'clock.

On motion of Mr. Joyner,

Resolved, That a committee to consist of nine members be appointed by the Chair, and to be taken from the members representing counties interested in the subject, to enquire what can rightfully be done to promote the great fishing interests of Albermarle and Pamlico Sounds, and render uniform the various acts concerning fishing in said Sounds and their tributary streams.

The Speaker announced that Messrs. Joyner, Shaw, McClees, Willey, Murray, Ward, Person, T. F. Jones and Cowper constitute said committee.

Mr. Kerr introduced a bill, accompanied by a memorial to emancipate James Hostler; which was read the first time and passed, and, on motion, referred to the Committee on Propositions and Greivances.

Mr. Woodfin introduced a bill to encourage agriculture, domestic manufactures and the mechanic arts; which was read the first time and passed, and, on motion, referred to the Committee on Agriculture.

Mr. Gilmer presented the petition of William Juact, of Guilford county, praying that a pension be allowed him for services rendered in 1812; which, on motion, was referred to the Committee on Propositions and Grievances.

On motion of Mr. Joyner, the engrossed bill to repeal an act, entitled "an act to prevent the obssruction of the passage of fish at inlets on the sea coast of tne State," was taken up,

and, on his motion, made the special order for to-morrow, 12 o'clock.

The bill to amend an act, entitled an act concerning the drainage of low lands, was read the third time, passed and ordered to be engrossed.

Received a message from the House of Commons, stating that they have passed, by the constitutional majority, a bill to amend the constitution of North Carolina, and asking the concurrence of the Senate in the same; which, on motion of Mr. Steele, was made the special order of the day for Tuesday next at the hour of 12 o'clock.

On motion of Mr. Cunningham,

Ordered, That a message be sent to the House of Commons, proposing to go into an election for Comptroller of State, to-morrow, at the hour of 11 o'clock, A. M.

Mr. Bynum introduced a bill to attach a part of McDowell county to the county of Rutherford; which was read the first time and passed, and, on motion, referred to the Committee on Propositions and Grievances.

Mr. Bower presented the petition of sundry citizens of Watauga county, praying for the passage of an act establishing free trade in ardent spirits; which, on motion, was referred to the Committee on Propositions and Grievances.

Mr. Steele introduced the following resolution, viz:

Resolved, That a message be sent to the House of Commons, proposing to go into an election of Attorney General of this State, to-morrow at 12 o'clock.

Mr. Hoke moved that said resolution be laid on the table; which motion prevailed—Ayes 24, noes 22.

Mr. Lillington demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Barrow, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McMillan, Murchison, Person, Shaw, Speight, Ward, Watson and Withers—24,

Those who voted in the negative, are :

Messrs. Albright, Albritten, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson, Washington, Willey and Woodfin.—22.

The resolution in favor of Charles Sully Wheeler was read the second time and passed, and, on motion of Mr. Boyd, the rules were suspended, and the resolution read the third time, passed and ordered to be engrossed.

The bill in relation to executors of last wills and testaments was read the second time, and, on motion of Mr. Cannady, ordered to be laid on the table.

The bill to amend the charter of Davidson College was read the second time and passed.

The bill abolishing trial by jury in the County Courts, and for the more speedy and certain administration of justice, &c., was read the second time, and, on motion of Mr. Bynum, made the special order of the day for Wednesday next, at the hour of 12 o'clock, together with the resolutions concerning the Supreme and Superior Courts.

The bill to incorporate the Trustees of Wesleyan Female College, at Murfreesborough, in the county of Hertford, was read the second time and passed, and, on motion of Mr. Cowper, the rules were suspended, and the bill read the third time, passed and ordered to be engrossed;

On motion of Mr. Cannady, the bill in relation to executors of last wills and testaments was now taken up and amended, on the several motions of Messrs. Hoke and Bower;

But before any question was taken on the passage of the bill, its further consideration was temporarily suspended, to receive

A message from the House of Commons, proposing to go forthwith into an election for United States Senator; which proposition was concurred in, and the House of Commons informed that Messrs. Washington and Cannady constitute the Senate's branch of the committee to superintend the election.

The Senate were informed by a message from the House of Commons, that Messrs. Albertson and Bryant, form their branch of the Committee to superintend said election, and that they would proceed to vote upon the return of the message.

The Senate then voted as follows:

FOR MR. DOBBIN.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W Jones, Kerr, McMillan, Murchison, Person, Shaw, Speight, Ward, Withers and McDowell,—26.

FOR MR. SAUNDERS.

Messrs. Arendell, Cowper, Gilmer, Richardson, Steele, Washington and Woodfin—7.

FOR MR. SHEPARD.

Messrs. Albright, McClees, Murray, Parks, Thompson, Watson and Willey—7.

FOR MR. RAYNER.

Messrs. Bynum, Kelly, Lillington, Mitchell and Palmer—5.

FOR MR. LILLINGTON.

Messrs. Albritton and Joyner—2.

Mr. Thomas voted for Mr. T. F. Jones.

Mr. Lane voted for Mr. Mitchell.

The Senate now resumed the consideration of the bill in relation to last wills and testaments; which, on motion of Mr. Bynum, was ordered to be laid on the table.

Mr. Lillington introduced a bill to amend an act passed at the session of 1846-'47, entitled "an act to make real estate assets;" which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

The bill to incorporate the Kingsbury and Locksville Plank Road Company, was read the second time, amended and passed, and, on motion of Mr. Murchison, the rules were suspended, and the bill read the third time, passed and ordered to be engrossed.

Mr. Washington, from the Committee appointed to superintend the election for United States Senator, reported that Mr. Dobbin had received 73 votes, Mr. Saunders 35 votes, Mr. Shepard 20 votes, and that there were 19 scattering votes; and that no person in nomination having received a majority of the votes given, there is no election.

Report concurred in.

On motion of Mr. Steele,

Ordered, That a message be sent to the House of Commons, proposing to vote again forthwith for a Senator of the United States.

Received a message from the House of Commons, proposing to go forthwith into an election for Attorney General.

On motion of Mr. Caldwell, the said message was ordered to be laid on the table—ayes 27, noes 22.

Mr. Lillington demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Ward, Watson and Withers—27.

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson, Washington, Willey and Woodfin—22.

A message was received from the House of Commons, concurring in the proposition of the Senate to vote again for a Senator of the United States, and informing that Messrs. Rives and Erwin form the committee on their part to superintend the election; whereupon the House of Commons were informed that Messrs. Washington and Herring constitute the Senate's branch of the committee to superintend said election.

And the Senate voted as follows.

FOR MR. DOBBIN.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Bunting, Brogden, Caldwell, Cannady, Clark, Collins, Cunningham, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Drake, Ward and Withers—27.

FOR MR. SAUNDERS.

Messrs. Arendell, Cowper, Gilmer, Richardson, Steele, Thompson, Washington and Woodfin—8.

FOR MR. SHEPARD

Messrs. Albright, Lane, McClees, Murray, Parks, Watson and Wiley—7.

FOR MR. RAYNER.

Messrs. Bynum, Joyner, Kelly, Lillington, Mitchell and Palmer—6.

Mr. Albritton voted for Mr. Lillington.

Mr. T. F. Jones voted for Mr. Joyner.

On motion of Mr. Mitchell, the Senate took up for consideration the bill in relation to executors of last wills and testaments; which was further amended, on motion of Mr. Woodfin, and passed its second reading as amended.

On motion of Mr. Bynum, the said bill was referred to the Committee on the Judiciary.

The bill to incorporate the Bladen Steamboat Company, and the bill to ascertain the whole amount of taxes paid by the people in North Carolina, were severally read the second time and passed.

Mr. Woodfin moved that a message be sent to the House of Commons, proposing to go forthwith into an election for Attorney General.

Mr. Person moved that said motion be laid upon the table, which was carried—yeas 26, noes 21.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Watson and Withers—26.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Richardson, Steele, Thompson, Washington, Willey and Wodfin—21.

The resolutions requesting our Senators and Representatives in Congress to use their influence to abolish duties on Railroad iron, was read the second time and passed.

The resolution, requesting our Senators and Representatives in Congress to use their influence to have a Naval Depot established at Beaufort Harbor in this State, was read the second time, and, on motion of Mr. Thomas, ordered to be laid on the table.

Mr. Washington, from the committee appointed to superintend the election for a Senator of the United States, reported that Mr. Dobbin received 75 votes, Mr. Saunders 35 votes, and Mr. Shepard 15 votes, and that there were sundry scattering votes : That no person in nomination having received a majority of the whole number of votes given, there is no election.

Report concurred in.

The engrossed bill, to incorporate the Trustees of the Hillsborough Academy, was read the second time and passed, and, on motion of Mr Berry, the rules were suspended.

ed, and the bill read the third time, passed, and ordered to be enrolled.

[On motion of Mr. Person,

Ordered, That a message be sent to the House of Commons, proposing to vote again forthwith for a Senator of the United States.

The engrossed bill to amend the 4th section of an act passed at the session of 1832-33, entitled an act compensating jurors of the original pannel in the county of Beaufort, was read the second time, and passed, and, on motion of Mr. Bower, the rules were suspended and the bill read the third time, passed, and ordered to be enrolled.

The bill to amend an act to incorporate the Charlotte, North Carolina, and Cheraw, South Carolina, Plank Road company was read the second time, amended and passed.

On motion of Mr. Gilmer, the Senate adjourned.

SATURDAY, Nov. 27th, 1852.

The Speaker laid before the Senate the resignation of C. McMillan, a Justice of the Peace of Duplin county, which was read and accepted and ordered to be sent to the House of Commons.

Mr. Gilmer, from the Committee on the Judiciary, reported back to the Senate the bill to pay tales jurors, with an amendment.

Ordered to lie on the table.

Mr. Woodfin, from the Committee, reported back the bill to dec'are what persons may intermarry and recommended its passage.

Ordered to be be laid on the table.

Mr. Woodfin, from the Committee, reported back the bill to extend the right of appeal, prevent unnecessary accumulation of cost, expedite justice and for other purposes, and recommended its passage.

Ordered to lie on the table.

Mr. Lillington, from the same Committee, reported back the bill for better compensating constables and recommended its passage.

Ordered to lie on the table.

Mr. Steele introduced a bill to amend the Constitution of the State of North Carolina ; which was read and ordered to be laid on the table.

Mr. Washington introduced a bill to emancipate Lewis Williams; which was read the first time and passed, and, on motion, referred to the Committee on Propositions and Grievances.

Mr. Woodfin introduced a bill to alter the line of the county of Madison and to establish the county of Warm Springs; which was read the first time and passed.

Mr. Woodfin, also presented sundry memorials on the subject, which said bill and memorials were referred to the Committee on Propositions and Grievances.

Mr. Thompson, from the Committee on Congressional Districts, with leave, submitted a verbal report, in behalf of the majority, accompanied by a bill to lay off eight Congressional Districts within the State, and to designate the counties composing the same; which was read the first time and passed, and, on motion, ordered to be printed.

Mr. Berry, from the same committee, submitted a minority report in writing, accompanied by a bill, entitled a bill to repeal an act, to amend an act concerning the mode of choosing Representatives in Congress, ratified 2nd January, 1847, chapter 21; which was read the first time and passed, and on motion ordered to be printed.

Received a message from the House of Commons, transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz:

A bill to authorize James W. Lowe, Sheriff of Lincoln county, to collect arrears of taxes due him; and a bill to incorporate the town of Elizabethtown, in the county of Bladen; which said bills were read the first time and passed, and, on motion of Mr. McDowell, the bill last read was ordered to be laid on the table.

Mr. Kelly, by the consent of the Senate, moved to reconsider the vote, by which the bill, to divide the county of Ire-dell, was rejected on Wednesday last; which motion was carried—ayes 23, noes 20.

On this question, Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Albright, Albritton, Arendell, Barrow, Bower, Boyd, Brogden, Bunting, Bynum, Gilmer, Hargrave, Herring, Hoke, Joyner, Kelly, Lane, Lillington, Murchison, Parks, Thomas, Washington, Withers and Woodfin—23.

Those who voted in the negative, are :

Messrs. Berry, Caldwell, Clark, Collins, Cowper, Cunningham, T. F. Jones, Kerr, McClees, McDowell, McMillan, Person, Richardson, Shaw, Speight, Steele, Thompson, Ward, Watson and Willey—20.

The question now recurring on the passage of the bill, Mr. Parks moved that the same be laid on the table ; which motion was disagreed to.

Mr. Person now moved that the bill be indefinitely postponed, and the question thereon was determined in the affirmative—ayes 29, noes 12.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Arendell, Berry, Brogden, Bunting, Caldwell, Clark, Collis, Cowper, Cunningham, Hargrave, Herring, T. F. Jones, Kerr, McClees, McDowell, McMillan, Mitchell, Murchison, Murray, Person, Richardson, Speight, Shaw, Steele, Thompson, Ward, Watson, Withers and Willey—29.

Those who voted in the negative, are:

Messrs. Albright, Albritton, Barrow, Bower, Boyd, Gilmer, Hoke, Kelly, Lane, Parks, Washington and Woodfin—12.

So the bill was indefinitely postponed.

A message was sent to the House of Commons, informing that the Senate have passed the following engrossed bills and resolution, in which they ask the concurrence of that body, viz :

A bill to increase the capital stock of the bank of Wadesborough ;

A bill to amend an act incorporating the Raleigh Savings' Institution ;

A bill to amend an act, entitled an act to incorporate Union Institute in Randolph county, a Normal College : a

Resolution in favor of Charles Sully Wheeler.

The bill to incorporate the bank of Cumberland, was read the second time and amended. The question on the passage of the bill was determined in the negative—ayes 23, nays 24.

Mr. Lillington demanded the ayes and noes.

Those who voted in the affirmative, are :

Messrs. Albright, Arendell, Boyd, Brogden, Bynum, Caldwell, Cowper, Gilmer, T. F. Jones, Kelly, Lane, McClees, McMillan, Murchison, Murray, Palmer, Parks, Richardson, Thomas, Thompson, Washington, Withers and Woodfin—23.

Those who voted in the negative, are :

Messrs. Albritton, Barrow, Berry, Bower, Bunting, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Joyner, Kerr, Lillington, McDowell, Mitchell, Person, Shaw, Speight, Ward, Watson and Willey—24.

So the bill was rejected.

The Senate now proceeded to the consideration of the special order, being the engrossed bill to repeal an act, entitled "an act to prevent the obstruction of the passage of fish at inlets on the sea coast of the State, &c."

And the said bill being read the third time, Mr. T. F. Jones moved that the same be referred to the select committee, raised on the subject ; which motion was rejected—ayes 18, noes 26.

Mr. Shaw demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Boyd, Bynum, Clark, Cowper, Hargrave, Herring, T. F. Jones, Joyner, McClees, Mitchell, Palmer, Thompson, Ward, Withers, Willey and Woodfin—18.

Those who voted in the negative, are :

Messrs. Arendell, Barrow, Berry, Bower, Brogden, Bunting, Caldwell, Cannady, Collins, Cunningham, Drake, Gilmer, Hoke, W. Jones, Kelly, Kerr, Lillington, McDowell, McMillan, Murray, Parks, Richardson, Shaw, Speight, Thomas and Watson--26.

The question now recurred on the passage of the bill, and was determined in the affirmative—ayes 30, noes 12.

Mr. Shaw demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Arendell, Barrow, Bower, Boyd, Brogden, Bunting, Caldwell, Collins, Cunningham, Drake, Gilmer, Herring, Hoke, W. Jones, Kelly, Kerr, Lillington, McDowell, McMillan, Murchison, Murray, Palmer, Shaw, Speight, Steele, Thomas, Ward, Watson and Withers,—30.

Those who voted in the negative are :

Messrs. Albritton, Bynum, Clark, Cowper, Hargrave, T. F. Jones, Joyner, McClees, Mitchell, Murchison, Thompson and Willey.--12

Ordered that said bill be enrolled.

Mr. Albritton introduced the following resolution, viz :

Resolved, That a message be sent to the House of Commons, proposing to go into an election to day at one o'clock P. M. for Attorney General.

Mr. Thomas moved that said resolution be laid on the table; which was carried, ayes 25, noes 20.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Shaw, Speight, Thomas, Ward, Watson and Withers. -25

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lillington, McClees, Mitchell, Murray Palmer, Parks, Richardson, Steele, Thompson, Willey and Woodfin.—20.

So the resolution was laid on the table.

The bill to amend the Charter of Davidson College was read the third time, passed, and ordered to be engrossed.

Mr. Woodfin introduced a bill to transfer part of the stock of the Fayetteville and Western Plank Road Company, to the Asheville and Greenville Plank Road company which was read the first time and passed, and on motion referred to the Committee on Internal Improvements.

Mr. Kerr introduced a bill to increase the Capital of the Commercial Bank of Wilmington; which was read the first time and passed and on motion referred to the Committee on corporations.

The bill to ascertain the whole amount of taxes paid by the people of North Carolina;

The bill to incorporate the Bladen Steamboat Company:

And the resolutions requesting our Senators and Representatives in Congress to use their influence in favor of abolishing the duties on railroad iron, were severally read the third time, passed and ordered to be engrossed.

On motion of Mr. Bynum, the Senate adjourned.

MONDAY, Nov. 29th, 1852.

The Speaker announced, that Messrs. Boyd, Albritton and Palmer, compose the committee on enrolled bills the present week.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and Resolution, in which they ask the concurrence of that body, viz:

A bill to amend an act, entitled "an act concerning the drainage of low lands."

A bill to incorporate the Trustees of the Wesleyan Female College, at Murfreesborough, in the county of Hertford:

A bill to incorporate the Charter of Davidson College:

A bill to incorporate the Bladen Steamboat company:

A bill to incorporate the Bank of Charlotte:

And a resolution requesting our Senators and Representatives in Congress to use their influence in favor of abolishing the duties upon railroad iron.

Mr. Gilmer introduced a memorial from sundry citizens of Guilford county, in relation to the subject of raising sheep; which, on motion, was referred to the Committee on Finance.

Mr. Woodfin, from the Committee on the Judiciary, reported back the bill to regulate appeals to the Supreme Court in the 6th Judicial Circuit, and recommended its passage.

Ordered to lie on the table.

Mr. Woodfin, from the same committee, reported back the bill to amend the 53d section of the 34th chapter of the Revised Statutes, and recommended its passage.

Ordered to lie on the table.

Mr. Woodfin, from the same committee, reported back the bill to protect the good citizens of this State, against a great nuisance, and recommended its rejection.

Ordered to lie on the table.

Mr. Woodfin, from the same same committee, reported back the bill to amend the 20th chapter of the Revised Statutes, so as to give the election of Clerks and Masters, to the people, and recommended its rejection.

Ordered to lie on the table.

Mr. Watson, from the Committee on Propositions and Grievances, reported favorably the bill to emancipate James Hostler.

Ordered to lie on the table.

Mr. Watson, from the same committee, reported back the bill to attach a portion of the county of McDowell to the county of Rutherford, and recommended its passage.

Ordered to lie on the table.

Mr. Gilmer, from the Committee on the Judiciary, reported back the bill to amend an act entitled "an act concerning the Supreme Court, Revised Statutes, chapter 33, and to amend an act entitled "an act concerning courts of justice, practice, pleas, and process, Revised Statutes, chapter 31, and recommended that it be rejected.

Ordered to lie on the table.

Mr. Lillington, from the same committee, reported back the bill to amend an act passed at the session of 1845-'47, "entitled an act to make real estate assets, and recommended its passage.

Ordered to lie on the table.

Mr. T. F. Jones, from the Committee on the Judiciary, to whom a memorial on the subject was referred, reported a bill to make indictable certain trespasses; which was read the first time and passed.

Mr. Watson, from the Committee on Propositions and Grievances, reported back the bill to establish the county of Ruffin, and recommended its rejection.

Ordered to lie on the table.

Mr. Watson, from the same committee, to whom was referred the memorial of sundry citizens of Watauga county, in relation to the sale of spirituous liquors, reported unfavorably on the same, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Clark, from the Committee on Corporations, reported back the bill to incorporate the Swift Creek Plank Road company, with sundry amendments.

Ordered to lie on the table.

Mr. Clark, from the same committee, reported back the bill to incorporate the Franklinsville Manufacturing company, in the county of Randolph, without amendment.

Ordered to lie on the table.

Mr. Bynum introduced a bill to authorize the business of banking ; which was read the first time, passed, and ordered to be printed, and, on motion, referred to a select committee consisting of Messrs. Bynum, Hoke, Mitchell, Shaw and Thomas.

Mr. Richardson introduced a bill to authorize the several Courts of Pleas and Quarter Sessions to pay the Wardens of the Poor ; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

Mr. Bower introduced a bill, accompanied by a memorial to repeal the 4th section of an act passed by the General Assembly, at its session of 1850 '51, entitled "an act to amend an act, entitled an act to incorporate the Caldwell and Ashe Turnpike company ; which was read the first time and passed, and, on motion, referred to the Committee on Propositions and Grievances.

Received a message from the House of Commons, transmitting the following engrossed bill, in which they ask the concurrence of the Senate, viz :

"A bill appointing commissioners to alter and establish the boundary lines between the counties of Lincoln, Gaston, and Cleaveland;" which said bill was read the first time and passed, and, on motion, referred to the Committee on Propositions and Grievances.

Also, a message informing that the Committee on Enrolled Bills on the part of the House of Commons for the present week consists of Messrs. W. S. Harris, Sherrell, J. F. Lyon, Webb and Russell.

The bill to declare what persons may intermarry, was read the second time and passed ; and, on motion of Mr. Cunningham, the rules were suspended, and the bill read the third time, passed and ordered to be engrossed.

Mr. Woodfin introduced a bill to incorporate the French Broad Turnpike company ; which was read the first time and passed, and, on motion, referred to the Committee on Internal Improvements.

Also, a bill supplemental to an act passed at the last session of the General Assembly, entitled "an act to alter the line between the counties of Buncomb and Henderson; which was read the first time and passed.

Mr. McDowell moved to reconsider the vote by which the Cumberland Bank Bill was rejected ; which motion was ordered to be laid on the table.

The bill to incorporate the Bank of the Tobacconists of North Carolina was read the second time, and, on motion of Mr. Boyd, ordered to be laid on the table.

The engrossed bill to incorporate the Lumberton and Cape Fear Plank Road company was read the second time, amended and passed.

Received a message from the House of Commons, transmitting the report of the President and Directors of the North Carolina Railroad company ;

And the report on the Hospital for the Insane, with a proposition to print the same.

Concurred in.

The engrossed bill concerning the sale and inspection of lumber and ton timber at Wilmington and other points on the Cape Fear, was read the second time, and, on motion of Mr. Lillington, ordered to be laid on the table.

The engrossed bill to incorporate the Chapel Hill and Durhamville Plank Road Company, was read the second time, amended and passed.

The bill to prohibit the sale of spirituous liquors to free persons of color, was read the second time, and, on motion of Mr. Cowper, ordered to be laid on the table.

The engrossed bill to amend the 9th section of an act concerning Common Schools, passed in 1844, was read the second time and passed.

The bill to regulate the salaries of the Attorney General and Solicitors, and for other purposes, was read the second time ; pending the consideration of which,

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the special order, being the engrossed bill to provide for the appointment of a superintendent of Common Schools and for other purposes; and the said bill being read the second time, Mr. Person moved to amend the first section of the same, by striking out the word "Legislature," and inserting "Literary Board;" which amendment was rejected.

Mr. Bower moved to amend the 12th section of the bill by striking out \$500, so as to to reduce the salary of the superintendent to \$1000, instead of one thousand five hundred dollars; the amendment was disagreed to.

Mr. Brogden offered the following amendment to come in as section 16, viz :

And be it further enacted, That it shall be lawful for the General Assembly at any time hereafter to amend, modify, or repeal this act, as they may deem necessary and proper; which was rejected.—ayes 8, noes 40.

Mr. Brogden demanded the yeas and nays.

• Those who voted in the affirmative, are :

Messrs. Berry, Bower, Brogden, Collins, Drake, W. Jones, Watson and Withers—8.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Barrow, Boyd, Bunting, Bynum, Caldwell, Cannady, Clark, Cowper, Cunningham, Gilmer, Hargrave, Herring, Hoke, T. F. Jones, Joyner, Kelly, Kerr, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murchison, Murray, Palmer, Parks, Person, Richardson, Shaw, Speight, Steele, Thompson, Ward, Washington, Willey and Woodfin.—40.

The question now recurred on the passage of the bill on its second reading, and was determined in the affirmative, ayes 30, noes 18.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Albright, Albritton, Arendell, Boyd, Caldwell, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner, Kelly, Kerr, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murchison, Murray,

Palmer, Parks, Richardson, Shaw, Steele, Thompson, Washington, Watson, Willey and Withers.--30.

Those who voted in the negative are :

Messrs. Barrow, Berry, Bower, Brogden, Bunting, Bynum, Canady, Clark, Collins, Drake, Hargrave, Herring, Hoke, W. Jones, Person, Speight, Ward and Withers.--18.

The Senate now resumed the consideration of the bill to regulate the salaries of the Attorney General and Solicitors, and for other purposes. On motion of Mr. Kelly, the further consideration of the same was postponed until Thursday next and made the special order for that day, at the hour of 12 o'clock.

On motion of Mr. Bynum, the bill to amend the act entitled "an act concerning the Supreme Court, Revised Statutes, chapter 33," and to amend an act entitled "an act concerning Courts of Justice, pleas and practice, &c., was now taken up and made the special order for Wednesday next, at the hour of 12 o'clock.

On motion of Mr. Woodfin, the bill to alter the line of the county of Madison and to establish the county of Warm Springs, was now taken up and referred to the Committee on Propositions and Grievances.

The engrossed bill to authorize James W. Lowe, of Lincoln county to collect arrears of taxes due him, was read the second time and rejected.

The bill for the better compensating Constables was read the second time and rejected.

Mr. Woodfin, presented a bill to incorporate the N. C. State Agricultural Society, which was read the first time and and passed.

On motion of Mr. Gilmer, the Senate adjourned.

TUESDAY, Nov. 30th, 1852.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of that body, viz:

A bill to declare what persons may intermarry:

And a bill to incorporate the Kingsbury and Locksville Plank Road company.

Mr. Boyd presented the memorial of sundry citizens of Rockingham county, praying the establishment of a bank in said county; which was ordered to be laid on the table.

Mr. Clark, from the Committee on Corporations, reported back the bill to increase the Capital of the Commercial Bank, without amendment.

Ordered to lie on the table.

Mr. Lillington, from the Committee on the Judiciary, reported back the bill in relation to the collection of partnership and other debts, with sundry amendments.

Ordered to lie on the table.

Mr. Watson, from the Committee on propositions and grievances, reported back the bill to emancipate Lewis Williams and recommended its passage.

Ordered to lie on the table.

Mr. Watson, from the same Committee, reported back the bill to alter the line of the county of Madison, and establish the county of Warm Springs, and recommended its rejection.

Ordered to lie on the table.

Mr. Watson, from the same committee, reported back the bill appointing Commissioners to alter and establish the boundary lines between the counties of Lincoln, Gaston, and Cleaveland, and recommended its rejection.

Ordered to lie on the table.

Mr. Watson, from the same committee, reported favorably the bill to repeal the 4th section of an act passed at the session of 1850-'51, entitled "an act, to amend an act to incorporate the Caldwell and Ashe Turnpike Company."

Ordered to lie on the table,

Mr. Watson, from the same committee, reported back the bill for the protection of sheep, and recommended its reference to the Committee of Finance; which report was concurred in.

Mr. Watson, from the same Committee, to whom was referred the petition of William Juact, reported unfavorably on the same.

Mr. Woodfin, from the Committee on the Judiciary, reported back the bill for the better administration of Justice in the Courts of Pleas and Quarter Sessions, and asked to be discharged from its further consideration; and, on his motion, said bill was made the special order of the day for Wednesday next at 12 o'clock.

On motion of Mr. Cunningham,

Ordered, That a message be sent to the House of Commons, proposing to go into an election of Senator of the United States, this day, at half past 11 o'clock.

Mr. Lane introduced a bill to give the Courts of Pleas and Quarter Sessions of the county of Randolph, Jurisdiction over the sale of real estate, for division amongst joint tenants and tenants in common; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

Received a message from the House of Commons, informing that they have laid upon the table the proposition of the Senate to go into an election for a Senator of the United States, today, at half-past 11 o'clock.

On motion of Mr. Boyd, the bill to incorporate the Bank of the Tobacconists of North Carolina, was taken up, read the second time and rejected—ayes 17, noes 31,

Mr. Lillington called for the ayes and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Arendell, Boyd, Gilmer, T. F. Jones, Kelly, McClees, McMillan, Murchison, Palmer, Parks, Richardson, Thomas, Ward, Washington, Withers and Woodfin--17.

Those who voted in the negative are:

Messrs. Albritton, Berry, Bower, Brogden, Bunting, Bynum, Caldwell, Canuady, Clark, Collins, Cowper, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, Lane, Lillington, McDowell, Mitchell, Murray, Person, Shaw, Speight, Steele, Thompson, Watson, Joyner and Willey—31.

The engrossed bill to provide for the appointment of a Superintendent of Common Schools, and for other purposes, was read the third time and passed—Ayes 31, noes 16.

Mr. Speight demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Albright, Albritton, Arendell, Boyd, Caldwell, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner, Kelly, Kerr, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Marchison, Murray, Palmer, Parks, Richardson, Shaw, Steele, Thomas, Thompson, Washington, Watson, Willey and Woodfin—31.

Those who voted in the negative, are:

Messrs. Barrow, Berry, Bower, Brogden, Bunting, Bynum, Canuady, Collins, Drake, Hargrave, Herring, Hoke, W. Jones, Person, Speight, and Withers—16.

Ordered that said bill be enrolled.

The engrossed bill, to amend the 9th section of an act concerning Common Schools, passed in 1844, was read the third time and passed, and ordered to be enrolled.

The bill to protect the good citizens of the State against a great nuisance, was read the second time.

Mr. Albright moved to amend the bill, by striking out all between the words, "*five gallons*," and the words, *and if*, and insert the following, viz:

"Upon the premises of any person, or on the public highway, within the boundary of said premises, without the

consent first had in writing of the owner of the land, whereon it is proposed to sell or retail such spiritous liquors, or wine, (except for medical or mechanical purposes." But before any question was taken on said amendment, the further consideration of the same was temporarily suspended.

When, on motion of Mr. Gilmer, it was,

Resolved, That the use of the Senate Hall be tendered to the members of the Electoral College to morrow, (Wednesday) at 12 o'clock M. to cast their votes for President and Vice President of the United States.

The hour of 12 o'clock having now arrived, the Speaker announced the special order of the day, viz :

The engrossed bill to amend the Constitution of the State of North Carolina ; the said bill being read the first time,

Mr. Brogden moved that the further consideration be postponed until Thursday next, and that it be made the special order for that day at the hour of 12 o'clock ; which said motion was rejected.

The question now recurring on the passage of the bill its first reading, the result was as follows—ayes 31, nays 16.

Mr. Cunningham demanded the ayes and noes.

Those who voted in the affirmative, are :

Messrs. Albritton, Arendell, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, W. Jones, Kerr, Lillington, McDowell, McMillan, Murchison, Person, Shaw, Speight, Steele, Thomas, Ward, Washington, Watson and Withers—31.

Those who voted in the negative, are :

Messrs. Albright, Bynum, Cowper, Hoke, T. F. Jones, Joyner, Kelly, Lane, McClees, Mitchell, Murray, Palmer, Richardson, Thompson, Willey and Woodfin—16.

The constitutional majority of two-thirds of the whole Senate not voting in the affirmative, the Speaker announced that the bill was rejected.

Mr. Hoke now moved a reconsideration of the vote just taken, by which the said bill was rejected.

And the question being taken thereon, was decided in the affirmative—ayes 32, noes 17.

Mr. Albright demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Albritton, Arendell, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, Lillington, McDowell, McMillan, Murchison, Person, Shaw, Speight, Steele, Thomas, Ward, Washington, Watson and Withers—32.

Those who voted in the negative, are :

Messrs. Albright, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Thompson, Willey and Woodfin—71.

So the Senate agreed to reconsider.

The question now recurring on the passage of the bill, its first reading, on motion of Mr. Brogden, the further consideration of the same was postponed until Friday next, and the bill made the special order for that day, at the hour of 12 o'clock.

The Senate now resumed the consideration of the bill to protect the good citizens of the State against a great nuisance.

The question being on agreeing to the amendment offered by Mr. Albright, after debate, on motion of Mr. Albright, ordered that said bill and amendment be laid on the table

The bill to incorporate the Charlotte, North Carolina, and Cheraw, South Carolina, Plank Road Company, was read the third time, passed and ordered to be engrossed.

The engrossed bill to incorporate the Chapel Hill and Durhamville Plank Road Company, was read the third time and passed as amended, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

The engrossed bill to incorporate the Lumberton and Cape Fear Plank Road Company, was read the third time and passed as amended, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

Mr. McDowell moved to reconsider the vote, by which on yesterday was rejected the engrossed bill to authorize James W. Lowe, of Lincoln county, to collect arrears of taxes due him; which motion was agreed to.

When, on motion of Mr. Hoke, the said bill was referred to the Committee on Propositions and Grievances.

On motion of Mr. Lillington, the Senate adjourned.

WEDNESDAY, Dec. 1st, 1852.

Mr. Washington presented the petition of Richard N. Taylor and others, praying for permission to construct a plank road from Becton's old field to a point near Snow Hill &c.; which, on motion, was ordered to lie on the table.

Mr. Washington, from the committee, on the Judiciary, reported back the bill to confirm a grant heretofore issued to B. H. Stammire, and recommended its passage.

Ordered to be laid on the table.

Mr. Joyner, from the select Committee, raised on the subject of the great fishing interest of the State, submitted a report in writing, accompanied by a bill, entitled a bill regulating fisheries in the Eastern part of this State; which was read the first time and passed, and, on motion of Mr. Thompson, said bill and report were ordered to be printed.

Mr. McMillian introduced a bill for the better regulation of the wardens of the poor for the county of Onslow, and for other purposes, which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

Mr. Bynum, from the Committee, on the Judiciary, to whom was referred the bill in relation to Executors of last wills and testaments, reported a substitute for the same, and recommended its passage.

Ordered to lie on the table.

Mr. Lillington, from the same Committee, reported back, with amendments, the bill to do away with collateral warranties, and recommended its passage.

Ordered to lie on the table.

Mr. Woodfin introduced a resolution to provide for furnishing the courts and public officers with copies of Iredell's Digested Mannal of the public laws passed since 1836, which was read the first time and passed.

Mr. Steele offered the following resolution, viz :

Resolved, That a message be sent to the House of Commons, proposing to go into an election of Comptroller of public accounts this day at 11 o'clock.

Mr. Caldwell moved to strike out Comptroller of public accounts and insert "United States Senator," which motion was agreed to and the resolution adopted as amended.

Message sent accordingly.

On motion of Mr. Lillington,

Resolved, That the select committee on so much of the Governor's message as relates to the Geological survey, be instructed to enquire into the expediency of having a larger number of copies of the report of Professor Emmons for distribution and also into the manner in which the same shall be distributed.

Mr. Washington, introduced a bill to incorporate the Neuse River and Snow Hill Plank Road Company, which was read the first time and passed, and, on motion, referred to the Committee on corporations.

Mr. Joyner introduced a bill, accompanied by a memorial, directing the public Treasurer to surrender bonds to the Seaboard and Roanoke Railroad Company; which was read the first time and passed, and, on motion, said bill and memorial were referred to the Committee on the Judiciary.

The bill to increase the Capital of the Commercial Bank of Wilmington, was read the second time, amended, on motion of Mr. Clark, by striking out \$650,000 and inserting \$250,000, and passed as amended.

The engrossed bill to incorporate the bank of Yanceyville was read the second time and rejected,—ayes 21
noes 26.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Arendell, Bynum, Caldwell, Gilmer, Herring, Hoke, T. F. Jones, Joyner, Kelly, McClees, McMillan, Murchison, Mitchell, Richardson, Steele, Thomas, Ward, Washington, Watson, Withers and Woodfin—26.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Cannady, Clark, Collins, Cowper, Cunningham, Drake, Hargrave, W. Jones, Kerr, Lane, Lillington, McDowell, Murray, Palmer, Shaw, Speight, Thompson, and Willey—26.

Received from the House of Commons, a message from the Governor, transmitting the certificates of several Sheriffs of this State in relation to the election of electors to vote for President and Vice President of the United States, which, on motion of Mr. Joyner, was ordered to be laid on the table.

Mr. Bower moved to reconsider the vote of yesterday by which the bill to incorporate the bank of the Tobacco-ists of North Carolina, was rejected.

On motion of Mr. Gilmer, the motion to reconsider was laid upon the table.

On motion of Mr. Lillington, the Senate adjourned.

THURSDAY, DEC. 2nd, 1852.

A message was sent to the House of Commons, informing that the Senate have passed the following engrossed bill, in which they ask the concurrence of that body, viz:

“A bill to ascertain the whole amount of taxes paid by the people of North Carolina.”

Mr. Shaw, from the Select Committee on the Fisheries, submitted a minority report in writing, which report was laid upon the table.

Mr. Thomas, from the Committee on Internal Improvements, to whom was referred a resolution, directing the Treasurer to subscribe for eight hundred shares of the stock of the Fayetteville and Centre Plank Road Company, reported the same back to the Senate, and asked to be discharged from the further consideration of the same.

Discharged accordingly.

On motion of Mr. Boyd,

Resolved, That a message be sent to the House of Commons, proposing to raise a joint select committee of three on the part of each House, to designate the time and manner of comparing and counting the votes cast for Governor at the last August election.

Mr. T. F. Jones introduced a bill for the government of Elizabeth City, in the county of Pasquotank ; which was read the first time and passed.

Mr. Washington introduced a bill to amend the 9th section of the 39th chapter of the Revised Statutes, entitled "an act concerning divorce and alimony ; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

Mr. McMillan introduced a bill to improve the navigation of the southwest branch of Neuse river, in the county of Ouslow ; which was read the first and passed, and, on motion, referred to the Committee on Internal Improvements.

Mr. Willey introduced a bill to incorporate Sunbury Division, No. 174, of the Sons of Temperance, in the county of Gates ; which was read the first time and passed, and, on motion of Mr. Withers, referred to the Committee on Corporations.

Mr. Albright moved to reconsider the vote of yesterday, by which, the bill to incorporate the Bank of Yancyville, was rejected.

Mr. Washington moved that said motion be laid on the table; which was not carried.

The motion to reconsider was then agreed to.

The question now recurring on the passage of the bill its second reading, was determined in the affirmative—ayes 25, noes 18.

Mr. Cannady demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Brogden, Bynum, Caldwell, Gilmer, Herring, Hoke, T. F. Jones, Joyner, Kelly, Lane, McClees, McDowell, McMillan, Mitchell, Murchison, Murray, Richardson, Steele, Thomas, Ward, Washington, Watson, Withers and Woodfin—25.

Those who voted in the negative are,

Messrs. Albright, Barrow, Berry, Bower, Boyd, Bunting, Cannady, Clark, Collins, Cowper, Drake, Hargrave, W. Jones, Kerr, Lillington, Palmer, Thompson, and Willey—18.

On motion of Mr. Caldwell,

Ordered, That a message be sent to the House of Commons, proposing to go into an election for United States Senator this day at half-past 11 o'clock.

The bill to increase the capital of the Commercial Bank of Wilmington, was read the third time, and, on motion of Mr. Joyner, ordered to be laid on the table.

Received a message from the House of Commons, concurring in the proposition of the Senate to vote this day for United States Senator, at half-past 11 o'clock, and informing that Messrs. Watters and Norfleet form their branch of the committee to superintend the election.

The bill to emancipate Lewis Williams was read the second time, and, on motion of Mr. Kelly, ordered to be laid on the table.

The bill to alter the line of the County of Madison and establish the county of Warm Springs, was read the second time, and, on motion of Mr. Woodfin, the further consideration of the same was postponed until Saturday next, and made the special order for that day, at the hour of 12 o'clock.

On motion of Mr. Washington, the bill to emancipate Lewis Williams was now taken up and passed its second reading.

The engrossed bill appointing Commissioners to alter and establish the boundary lines between the counties of Lincoln, Gaston and Cleaveland, was read the second time, amended on motion of Mr. Hoke, by striking out so much as relates to the county of Cleaveland, and rejected.

The hour of 11 o'clock having now arrived, at which, by the joint agreement of the two Houses, they were to go into an election for United States Senator, the House of Commons were informed that Messrs. Drake and Kelly form the committee on the part of the Senate, to superintend said election, and that the Senate would proceed to vote on the return of the messenger.

The Senate then voted as follows..

FOR MR. DOBBIN.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Bunting, Brogden, Caldwell, Cannady, Clark, Collins, Cunningham, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Drake, Ward and Withers—27.

FOR MR. SAUNDERS.

Messrs. Albright Arendell, Gilmer, Thompson and Woodfin—5.

FOR MR. SHEPARD.

Messrs. Lane, Parks, Washington and Watson—4.

FOR MR. LEWIS THOMPSON.

Messrs. Albritton, Cowper, T. F. Jones, McClees, Murray, Richardson, Steele and Willey—8.

FOR WILLIAM A. GRAHAM.

Messrs. Joyner, Kelly, Lillington, Mitchell, and Palmer—5.

Mr. Bynum voted for Mr. Rayner.

On motion of Mr. Bower, the Senate now took up for consideration, the bill to establish a new county by the name of Sevier; whereupon, Mr. Bower offered a substitute for the same, proposing to establish Courts of Pleas and Quarter Sessions within the limits prescribed in the bill; which was read and agreed to, and, on motion of Mr. Lillington, said bill was referred to the Committee on the Judiciary.

The engrossed bill in relation to the collection of Partnership and other debts was read the second time and amended. Pending the consideration of which, a message was received from the House of Commons, proposing that the two Houses go into an election of Attorney General this day at half after 12 o'clock.

Mr. Person moved that said message be laid upon the table, which was carried—ayes 25 noes 21.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Ward, Watson and Withers—25.

Those who voted in the negative, are:

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Washington, Willey and Woodfin—21.

Received a message from the House of Commons, proposing that the two Houses go into an election for a Judge of the Supreme Court, this day, at one o'clock.

Mr. Thomas moved that the message be laid on the table, which was agreed to, ayes 25, noes 22.

Mr. Cowper demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Ward, Watson and Withers.—25.

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson, Washington, Willey and Woodfin.—22.

Mr. Kelly, from the Committee appointed to superintend the election for a Senator of the United States, reported that no person in nomination having received a majority of the whole number of votes given, there is no election.

Report concurred in.

On motion of Mr. Cannady,

Ordered, That a message be sent to the House of Commons, proposing to go again forthwith into an election of United States Senator.

The Senate now resumed the consideration of the bill in relation to the collection of partnership and other debts.

The question on the passage of the bill its second reading was determined in the affirmative.

Received a message from the House of Commons, agreeing to go forthwith into the election of Senator of the United States, and stating the committee to superintend the election on the part of that House consists of Messrs. Scales and Adams.

Whereupon, the House of Commons were informed, that, Messrs. Drake and Kelly would superintend said election on the part of the Senate.

The Senate then voted as follows:

FOR MR. DOBBIN.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Ward and Withers,—27.

FOR MR. SAUNDERS.

Messrs. Albright, Arendell, Gilmer, Mitchell, Murray, Richardson, Steele, Thompson, Washington and Woodfin—10.

FOR LEWIS THOMPSON.

Messrs. Albritton, Cowper, T. F. Jones, Kelly, McClees and Wiley.—6.

FOR MR. SHEPARD.

Messrs. Lane, Parks, and Watson--3.

FOR MR. RAYNER.

Messrs. Bynum, Joyner, Lillington, and Palmer--3.

Received a message from the House of Commons, proposing that the two Houses go into an election for Attorney General, this day, at one o'clock.

Mr. Person moved, that said message be laid on the table; which resulted ayes 24, noes 24.

Mr. Lillington demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Clark, Collins, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Ward, Watson and Withers,--24.

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Bynum, Cannady, Cowper, Cunningham, Gilmer, T. F Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson, Washington, Willey and Woodin -24.

There being a tie, the speaker voted in the affirmative and the motion prevailed.

Received a message from the House of Commons, concurring in the proposition of the Senate to raise a joint select committee of three on the part of each House upon the subject of counting the votes for Governor : and informing

that the committee on the part of the Commons consists of Messrs. Stubbs, Lockhart, and Shimpock. The House of Commons were informed that Messrs. Boyd, Washington and Bunting compose the committee on the part of the Senate.

The bill to attach a portion of the county of McDowell to the county of Rutherford, was read the second time and passed.

The bill to repeal the 4th section of an act passed by the General Assembly, at its session of 1850-'51, entitled "an act to incorporate the Caldwell and Ashe Turnpike Company," was read the second time and passed.

The bill to repeal an act, to amend an act concerning the mode of choosing Representatives in Congress, ratified 2nd January, 1847, chapter 21, was taken up, and, on motion of Mr. Thompson, postponed until Monday next, and made the special order for that day, at the hour of 12 o'clock.

The bill to incorporate the Greensboro and Deep River Plank Road Company, was now taken up, and, on motion of Mr. Clark, referred to the Committee on Corporations.

The engrossed bill to pay tales jurors was read the second time, and, on motion of Mr. Bynum, indefinitely postponed.

Received a message from the House of Commons, proposing that the two Houses go into an election for Attorney General, this day, at half-past 10 o'clock.

The question on agreeing to said message was decided in the negative—ayes 24, noes 25.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative are,

Messrs. Albright, Albritton, Arendell, Bynum, Cannady, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Park, Richardson, Steele, Thompson, Washington, Willey and Wodfin—24.

Those who voted in the negative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Clark, Collins, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Ward, Watson and Withers—25.

Mr. Drake, from the Committee appointed to superintend the election for a Senator of the United States, reported that no person in nomination having received a majority of the whole number of votes given, there is no election.

The hour of 12 o'clock having arrived, the Speaker announced the special order, viz : The bill to regulate the salary of the Attorney General and Solicitors, and for other purposes: the question being on the amendment, proposed by the committee, the same was disagreed to ; pending the consideration of the bill,

A message was received from the House of Commons, proposing that the two Houses go into an election for a Judge of the Supreme Court, to-morrow morning, at half-past 11 o'clock.

Mr. Brogden moved that said message be laid on the table ; which motion was disagreed to—Ayes 22, noes 25.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Clark, Collins, Drake, Hargrave, Herring, W. Jones, Kerr, Mc-

Millan, Murchison, Person, Shaw, Speight, Ward, Watson and Withers.—22

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Bynum, Cannady, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McDowell, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson, Washington, Willey and Woodfin—25.

The message was then concurred in, and the House of Commons informed that Messrs. Clark and Thompson constitute the committee on the part of the Senate to superintend said election.

The Senate now resumed the consideration of the bill to regulate the salary of the Attorney General and Solicitors, and for other purposes : and the question recurring on the passage of the bill, its second reading, was determined in the negative—Ayes 10, noes 37.

Mr. Brogden demanded the ayes and noes.

Those who voted in the affirmative, are :

Messrs. Arendell, Gilmer, T. F. Jones, Kelly, Lillington, McDowell, Murchison, Steele, Washington and Woodfin—10.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Bynum, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, H. grave, Herring, Hoke, W. Jones, Joyner, Kerr, Lane, McClees, McMillan, Mitchell, Murray, Palmer, Parks, Person, Richardson, Shaw, Speight, Thompson, Ward, Watson, Withers and Woodfin—37.

So the bill was rejected.

On motion of Mr. Steele, the Senate adjourned.

FRIDAY, Dec. 3rd, 1852.

Mr Washington laid before the Senate a statement of the Merchants' Bank of Newbern ; which, on his motion, was ordered to be sent to the House of Commons, with a proposition to print the same.

Mr. Boyd, from the Committee on Senatorial Districts, submitted a report, accompanied by a bill dividing the State into fifty Senatorial Districts ; which report and bill were ordered to be laid on the table and printed.

Mr. T. F. Jones introduced a resolution in favor of P. Cahoon and others, sureties of J. A. Pool, late Sheriff of Pasquotank, which was read and referred to the Committee on Finance.

Mr. W. Jones introduced a resolution in favor of George W. Scarborough ; which was read the first time and passed, and, on motion, referred to the Committee on Claims.

Mr. Joyner presented a Resolution of enquiry, relative to certain iron, laid down on the Raleigh and Gaston Railroad; which was read and referred to the Committee on Internal Improvements.

Mr. Cannady introduced a bill to amend the several acts heretofore passed, for the government of the town of Oxford, in Granville county; which was read the first time and passed, and, on motion, referred to the Committee on Corporations.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bill, in which they ask the concurrence of that body, viz :

A bill to incorporate the Charlotte, North Carolina, and Cheraw, South Carolina, Plank Road company.

Mr Joyner introduced a bill to incorporate Social Division, No. 130 of the Sons of Temperance ; which, on motion, was referred to the Committee on Corporations.

Mr. Kelly introduced a bill to incorporate Troy Divisions, No. 58 of the Sons of Temperance ; which, on motion, was referred to the Committee on Corporations.

Received a message from the House of Commons, transmitting the report of the Bank of Fayetteville, with a proposition to print the same; which was agreed to.

Mr. Woodfin, from the Committee on the Judiciary, reported back the bill to authorize the several Courts of Pleas and Quarter Sessions to pay the Wardens of the poor, and recommended its passage.

Ordered to lie on the table.

Mr. Woodfin, from the same committee, reported back the bill to give the Courts of Quarter Sessions of the county of Randolph jurisdiction over the sale of real estate for division amongst joint tenants and tenants in common, and recommended its rejection.

Ordered to lie on the table.

Received a message from the House of Commons, proposing to set apart the afternoon of Saturday, the 11th of De-

ember, inst., for the appointment of Justices of the Peace, which was concurred in.

Also, stating that the House of Commons, have passed the following engrossed bill, in which they ask the concurrence of the Senate, viz:

A bill to incorporate a Bank in the town of Plymouth, in the county of Washington ; which was read the first time and passed, and, on motion of Mr. McClees, made the special order for to-morrow, at half-past 11 o'clock.

Mr. Thomas, from the Committee on Internal Improvements, reported, back with amendments, the bill to amend an act, entitled "an act to incorporate the Raleigh and Gaston Railroad Company.

Ordered to lie on the table.

Mr. Thomas, from the same committee, reported back, with amendments, the bill to provide for the improvement of the public road from Reddie's river to the Turnpike line.

Ordered to lie on the table.

Mr. Washington, from the Committee on the Judiciary, reported back the bill to amend the 9th section of the 39th chapter of the Revised Statutes, entitled "an act concerning divorce and alimony," and recommended its passage.

Ordered to lie on the table.

The bill to emancipate Lewis Williams was read the third time, passed and ordered to be engrossed.

The engrossed bill in relation to the collection of partnership and other debts, was read the third time, amended on

motion of Mr. Mitchell, and passed as amended; and a message sent to the House of Commons, asking their concurrence in the Senate amendments.

Received a message from the House of Commons, stating that the hour having arrived, at which, by the joint order of the two Houses, they were to vote for a Judge of the Supreme Court; that Messrs. Scales and Cherry form their branch of the committee to superintend said election, and that the names of B. F. Moore and William H. Battle are in nomination for the appointment.

The Senate, under the superintendence of Messrs. Clark and Thompson, then voted as follows :

FOR MR. MOORE.

Messrs. Speaker, Albright, Cowper, Drake, Gilmer, Hargrave, T. F. Jones, Joyner, Lillington, McCless, Mitchell, Palmer, Parks, Thompson and Willey—15.

FOR MR. BATTLE.

Messrs. Barrow, Bunting, Caldwell, Collins, Herring Kelly, Murchison, Murray, Steele, Thomas, Ward and Woodfin—12.

FOR ROBERT STRANGE.

Messrs. Berry, Bower, Boyd, Kerr and Withers—5.

FOR THOMAS BRAGG.

Messrs. Cunningham and Person—2.

FOR JOHN H. BRYAN.

Messrs. Albritton, Brogden, Bynum, Lane, McMillan, Richardson, Speight, Washington and Arendell—9.

FOR G. E. BADGER.

Messrs. Cannady and W. Jones—2.

Mr. Watson voted for R. M. Saunders.

for Mr. Toomer.

Patrick Winston, Sr.

Mr. Bynum, from the Select Committee appointed to inquire into the expediency of printing an additional number of the report of Professor Emmons, reported the following resolution, viz :

Resolved, by the General Assembly of North Carolina, That the report of Professor Emmons be distributed amongst the members of the present General Assembly, giving an equal number of copies to each member, and that a sufficient additional number be printed to give each member 30 copies.

Which was read the first time and passed, and, on motion of Mr. Bynum, the rules were suspended, and the resolution read the second and third times, passed and ordered to be engrossed.

On motion of Mr. Steele, the rule requiring that no bill or resolution of a public nature shall be sent from the Senate until twelve o'clock the succeeding day, was suspended, and a message sent to the House of Commons, asking their concurrence in the adoption of the foregoing resolution.

The engrossed bill to incorporate the Bank of Yanceyville was read the third time, passed and ordered to be enrolled.

The bill to attach a portion of the county of McDowell to the county of Rutherford: and

The bill to repeal the 4th section of an act passed by the General Assembly at its session of 1850-'51, entitled "an act, to amend an act, entitled an act to incorporate the Caldwell and Ashe Turnpike Company; were severally read the third time, passed and ordered to be engrossed.

The hour of 12 o'clock having arrived, the Speaker announced the special order: being the engrossed bill to amend the Constitution of North Carolina, and stated this is the first time of reading the bill; pending the consideration of the same,

A message was received from the House of Commons, proposing that the two Houses go forthwith into an election for Comptroller of State; which was concurred in, and the House of Commons informed that Messrs. Jones of Wake, and Murray form the Senate's branch of the committee to superintend said election.

Also, a message proposing that the two Houses go into an election for Attorney General, this day at half-past one o'clock.

Mr. Drake moved that said message be laid on the table; which motion was carried—yeas 25, noes 24.

Mr. Lillington demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Clark, Collins, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Ward, Watson, and Withers.—25.

Those who voted in the negative, are:

Messrs. Albright, Albritton, Arendell, Bynum, Cannady, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson, Washington, Willey and Woodfin.—24.

The Senate now resumed the consideration of the special order, viz:

The bill to amend the Constitution of the State of North Carolina; and the question now recurring on the passage of said bill, its first reading, resulted as follows—ayes 33, noes, 15.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albritton, Arendell, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Hening, Hoke, W. Jones, Kerr, Lillington, McDowell, McMillan, Murchison, Person, Shaw, Speight, Steele, Thomas, Washington, Ward, Watson, Withers and Willey—33.

Those who voted in the negative, are:

Messrs. Albright, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, McClees, Mitchell, Palmer, Parks, Richardson, Thompson and Woodfin--15.

The bill not being agreed to, by two-thirds of whole representation in the Senate, the Speaker announced that it is rejected.

Received a message from the House Commons, proposing that the two Houses go into an election for Supreme Court Judge, at a quarter before two o'clock, this day; which was concurred in:

And the House of Commons informed that Messrs. Clark and Thompson constitute the committee to superintend said election on the part of the Senate.

Also, a message, stating that Messrs. Strange and Webb form the House branch of the committee to superintend the election for Comptroller of State, and that the House would vote on the return of the messenger; whereupon, Mr. Woodfin nominated E. T. Miller for the appointment, and, on motion of Mr. Bower, Wm. J. Clarke was added to the nomination.

The Senate, under the superintendence of Messrs. Jones, of Wake, and Murray, then voted as follows :

FOR MR. CLARKE.

Messrs. Speaker, Albritton Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, T. F. Jones, W. Jones, Joyner, Kelly, Kerr, Lillington, McDowell, McMillan, Murchison, Person, Shaw, Speight, Steele, Thomas, Ward, Watson and Withers—34.

FOR MR. MILLER.

Messrs. Albright, Arendell, Bynum, Cowper, Gilmer, Lane, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Thompson, Washington, Willey and Woodfin—16.

Mr. Thompson, from the Committee appointed to superintend the election for a Judge of the Supreme Court, reported that no one in nomination having received a majority of the whole number of votes given, there is no election.

Report concurred in.

On motion of Mr. Steele, the vote by which the bill to attach a portion of McDowell county to the county of Rutherford was passed, was reconsidered, and the question recurring on the passage of the bill, its third reading, the same was rejected.

Mr. Jones, of Wake, from the Committee appointed to superintend the election for Comptroller of State, reported that William J. Clarke received 97 votes, and E. T. Miller 62 votes; that Wm. J. Clarke having received a majority of the whole number of votes given, is duly elected.

Report concurred in.

A bill to incorporate the North Carolina State Agricultural Society was read the second time and passed.

The bill to extend the right of appeal, prevent the unnecessary accumulation of cost, expedite justice, and for other purposes;

The bill to regulate appeals to the Supreme Court in the 6th Judicial Circuit;

And the engrossed bill to amend the 53rd section of the 34th chapter of the Revised Statutes, were severally read the second time and passed.

The engrossed bill to amend the first section of the 20th chapter of the Revised Statutes, so as to give the election of clerks and masters of equity to the people, was read the second time, and, on motion of Mr. Lillington, indefinitely postponed.

The engrossed bill to incorporate the Franklinsville Manufacturing company, in the county of Randolph, was read the second time and passed.

On motion of Mr. Thompson, the Senate now took up for consideration the bill to incorporate the Charleston, Blue Ridge and Chattanooga Railroad Company; which was read the first time and passed.

Received a message from the House of Commons, stating that the hour having arrived, at which, by the joint order of the two Houses, they had agreed to go into an election of Judge of the Supreme Court; that Messrs. Norfleet and Phelps form their branch of the committee to superintend said election, and that the name of John H. Bynum was added to the nomination for appointment.

The Senate, under the superintendence of Messrs. Clark and Thompson, then voted as follows.

FOR MR. MOORE.

Messrs. Speaker, Albright, Clark, Cowper, Drake, Gilmer, Hargrave, T. F. Jones, Joyner, McClees, Mitchell, Palmer, Thompson and Wiley--14.

FOR MR. BRYAN.

Messrs. Albritton, Arendell, Bynum, Herring, Lane, Lillington, McMillan, Parks, Richardson, Speight, Washington, Watson, and Brogden-13.

FOR MR. BATTLE.

Messrs. Barrow,³ Berry, Bunting, Caldwell, Collins, Kelly, Kerr, Murray, Steele, Thomas, Ward, Withers and Woodfin-13.

FOR MR. BADGER.

Messrs. Cannady, W Jones and Shaw-3.

FOR MR. BRAGG.

Messrs. Bower, Cunningham and Person-3.

FOR MR. TOOMER.

Messrs. McDowell and Murchison-2.

Mr. Boyd voted for Mr. Gilmer.

Mr. Hoke voted for Mr. Winston.

The bill to incorporate the Swift Creek Plank Road Company, was read the second time, amended and passed.

The bill supplemental to an act passed at the last session of the General Assembly, entitled ' an act to alter the line between the counties of Buncombe and Henderson,' was read the second time and passed.

The bill to emancipate James Hostler, was read the second time; and the question shall the said bill pass its second reading, was determined in the affirmative—ayes 32, noes 15.

Mr. Bynum demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Arendell, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Gilmer, Hargrave, Herring, T. F. Jones, W. Jones, Joyner, Kelly, Kerr, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murchison, Murray, Parks, Person, Shaw, Thomas, Ward, Washington, Watson, Withers and Woodfin—32.

Those who voted in the negative are,

Messrs. Albritton, Bynum, Caldwell, Cannady, Clark, Collins, Cowper, Cunningham, Drake, Hoke, Palmer, Richardson, Speight, Steele and Willey—5.

On motion of Mr. Woodfin, the bill to incorporate the North Carolina State Agricultural Society, was taken up and referred to the Committee on Agriculture.

On motion of Mr. Speight, the Senate adjourned.

SATURDAY, DEC. 4th, 1852.

Mr. Person, from the Select Committee on Military Affairs, reported a bill concerning the militia of North Carolina; which was read the first time and passed.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of that body, viz :

A bill to emancipate Lewis Williams : and

A bill to repeal the 4th section of an act of 1850-'51, entitled "an act to amend an act, entitled an act to incorporate the Caldwell and Ashe Turnpike Company."

Mr. Cunningham moved that a message be sent to the House of Commons, proposing that the two Houses go into an election for Attorney General, to-day at 12 o'clock; which on motion, was disagreed to, ayes 23, noes 24.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Arendell, Bynum, Cannady, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Richardson, Steele, Thompson, Washington, Willey and Woodfin—23.

Those who voted in the negative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Clark, Collins, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Watson and Withers—24.

Mr. Clark, from the Committee appointed to superintend the election for Judge of the Supreme Court, reported that Wm. H. Battle received 90 votes, B. F. Moore 37 votes, J. H. Bryan 24 votes, and that there were a number of scattering votes; that Wm. H. Battle, having received a majority the whole number of votes given, is duly elected.

Mr. Steele, from the Committee on Agriculture, reported back the bill to incorporate the North Carolina State Agricultural Society and recommended its passage, and on motion, said bill was read the third time, passed and ordered to be engrossed.

Mr. Boyd, from the committee appointed to designate the time and manner of counting and comparing the votes for Governor at the last August election, submitted the following report, viz :

“That the two Houses of the General Assembly shall convene in the Hall of the House of Commons, on Monday next, the 16th December inst., at 12 o'clock; that one member shall be appointed teller on the part of the Senate and two on the part of the House of Commons, to make a list of the votes given for the Governor of the State of North Carolina, as they shall be declared by the Speaker of the Senate, who shall announce to the two Houses, assembled as aforesaid, the state of the vote and the person elected, if it appears that a choice has been made agreeably to the Constitution of the State; which annunciation shall be deemed a sufficient declaration of the person elected, and, together with the list of votes, shall be entered on the Journals of the two Houses; which was read and adopted, and ordered to be sent to the House of Commons for their concurrence.

Mr. T. F. Jones introduced a bill to relieve Sheriffs and Jailors; which was read the first time, and, on motion, referred to the Committee on the Judiciary.

Mr. Thompson introduced a bill to repeal the 9th section of the Revised Statutes, entitled entries and grants ; which was read the first time and passed, and on motion, referred to the Committee on Finance.

Mr. McMillan introduced a bill to incorporate the New River Canal Company ; which was read the first time and passed, and, on motion, referred to the Committee on Internal Improvements.

Received a message from the House of Commons, proposing to go into an election for Attorney General, this day at half-past eleven o'clock ; which proposition was disagreed to:

Received a message from the House of Commons, proposing to go into an election for United States Senator this day at a quarter-past 12 o'clock ; which proposition was agreed to, and a message sent to the House of Commons, stating that Messrs Person and Cowper constitute the committee on the part of the Senate to superintend said election.

Mr. Woodfin introduced a bill to amend the Ashville and Greenville Plank Road Company ; which was read the first time and passed.

Mr. Bynum introduced a bill relating to trials in capital cases ; which was read the first time, and passed, and, on motion, referred to the Committee on the Judiciary.

Mr. Gilmer moved to take up the bill to attach a part of Davidson county to the county of Forsyth ; which motion was agreed to, when, on motion, said bill was made the special order of the day for Monday next, at the hour of 11 o'clock.

Mr. Woodfin introduced a bill to incorporate the French Broad Railroad company ; which was ordered to be laid on the table, and printed.

Mr. McClees introduced a bill for the protection and benefit of sundry citizens within this State; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

Mr. Thomas introduced a bill to incorporate the Turnpike company, in the county of Cherokee; which, on motion, was referred to the Committee on Internal Improvements.

Mr. Bynum presented a memorial against the establishment of Ruffin county, which was ordered to be laid on the table.

The hour of half-past 11 o'clock having arrived,

The Speaker announced the special order, viz: The engrossed bill to incorporate a Bank in the town of Plymouth, in the county of Washington; which was read the second time. Pending the consideration of which,

A message was received from the House of Commons, stating that the hour of a quarter before 12 having arrived, they would proceed, on the return of the messenger, to vote for United States Senator, according to the joint order of the two Houses, and that Messrs. W. H. Sanders and W. Long form their branch of the committee to superintend said election.

The Senate, under the superintendence of Messrs. Person and Cowper, then voted as follows:

FOR MR. DOBBIN.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Ward and Withers--27.

FOR MR. RAYNER.

Messrs. Albright, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks,

Richardson, Steele, Thompson, Washington, Willey and Woodfin—20.

Mr. Arendell voted for Mr. Saunders.

Mr. Watson voted for Mr. Shepard.

Mr. Albritton voted for Mr. Thompson.

On motion of Mr. Bynum, the resolution concerning the Supreme and Superior Courts of North Carolina ;

The bill abolishing jury trials in the County Courts, and for the more speedy and certain administration of justice ;

The bill to amend an act, entitled “ an act concerning the Supreme Court, Revised Statutes, chapter 33, and to amend an act, entitled “ an act concerning Courts of Justice, Practice, Pleas and Process ;” and

A bill for the better administration of justice in the Courts of Pleas and Quarter Sessions of this State ; were severally taken up and made the special order of the day for Monday next, at the hour of 11 o'clock.

The Senate now resumed the consideration of the order, viz :

“The engrossed bill to incorporate a Bank in the town of Plymouth, in the county of Washington,” and the question recurring on the passage of the bill, its second reading, was determined in the negative—Ayes 17, noes 23.

Mr. Bower demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Arendell, Brogden, Bynum, Gilmer, T. F. Jones, Joyner, Kelly, McClees, McMillan, Murchison, Palmer, Parks, Thompson, Ward, Washington, and Withers—17.

Those who voted in the negative, are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, Lillington, McDowell, Mitchell, Shaw, Steele and Watson—23.

The hour of 12 o'clock having now arrived, the Speaker announced the special order, being the bill to alter the line of the county of Madison and to establish the county of Warm Springs; and the said bill being read the second time, was rejected—ayes 5, noes 43.

Mr. Brogden demanded the ayes and noes.

Those who voted in the negative, are:

Messrs. Bower, Gilmer, Hoke, Thomas and Woodfin—5.

Those who voted in the negative are:

Messrs. Albright, Albritton, Arendell, Barrow, Berry, Boyd, Brogden, Bunting, Bynum, Caldwell, Cannady, Clark, Collins, Cowper, Cunningham, Drake, Hargrave, Herring, T. F. Jones, W. Jones, Joyner, Kelly, Kerr, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murchison, Murray, Palmer, Parks, Person, Richardson, Shaw, Speight, Steele, Thompson, Ward, Watson, Withers and Willey. -43.

Received a message from the House of Commons, transmitting the report of the Bank of the State, with a proposition to print the same; which proposition was concurred in.

Also, a message concurring in the proposition of the Senate to print the statement concerning the Merchants' Bank of Newbern.

Mr. Cowper, from the Committee, appointed to superintend the election of United States Senator, reported, that no person in nomination having received a majority of the votes given, there is no election.

Received a message from the House of Commons, stating that they have passed the engrossed bill from the Senate, to repeal an act passed at the session of 1850-51, entitled "an act to establish a new county by the name of Jackson, with amendments, in which they ask the concurrence of the Senate.

Pending the consideration of which said amendments,

On motion of Mr. Steele, the Senate adjourned—ayes 32, noes 17.

Those who voted in the affirmative, are:

Messrs. Albright, Arendell, Bynum, Caldwell, Clark, Cowper, Drake, Gilmer, Hargrave, Herring, Hoke, T. F. Jones, W. Jones, Joyner, Kelly, Kerr, Lane, Lillington, McClees, McMillan, Murchison, Murray, Palmer, Parks, Richardson, Steele, Thompson, Ward, Washington, Watson, Willey and Woodfin—32.

Those who voted in the negative, are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Cannady, Collins, Cunningham, McDowell, Mitchell, Person, Shaw, Speight, Thomas and Withers—17.

MONDAY, Dec. 6th, 1852.

The Speaker announced that Messrs. Cannady, McClees and Berry constitute the Senate's branch of the Committee on Enrolled Bills for the present week.

Received a message from the House of Commons, informing that their Committee on Enrolled Bills for the present week consists of Messrs. Black, Wynne, Tripp, George and Munday.

Also, transmitting the report of the Bank of Cape Fear, with a proposition to print the same; which was concurred in.

On motion of Mr. Cunningham, the vote by which the engrossed bill to incorporate a Bank in the town of Plymouth, in the county of Washington, was rejected, was now reconsidered, and, on his motion, the bill was made the special order of the day for Wednesday next at the hour of one o'clock.

Received a message from the House of Commons, transmitting the engrossed bill to incorporate the Atlantic and North Carolina Railroad company, in which they ask the concurrence of the Senate.

The said bill was read the first time and passed.

Mr. Cannady moved that the bill be referred to the Committee on Internal Improvements; which motion was disagreed to.

On motion of Mr. Washington, said bill was made the special order of the day, for Thursday next, at the hour of 11 o'clock.

Received a message from the House of Commons, concurring in the report of the committee on counting and comparing the vote cast for Governor in August last.

The Speaker announced that Mr. Boyd was the Teller on the part of the Senate for counting and comparing the vote aforesaid, and the House of Commons was informed thereof.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bill, in which they ask the concurrence of that body, viz:

A bill to incorporate the North Carolina State Agricultural Society.

Also, a message informing that the Senate have rejected the engrossed bill from the House of Commons to amend the Constitution of the State of North Carolina.

Received a message from the House of Commons, informing that the Tellers appointed on the part of the House for counting and comparing the vote for Governor consists of Messrs. W. J. Long and Norfleet.

Also, proposing that the two Houses go into an election of United States Senator this day, at half past one o'clock; which proposition was concurred in, and the House of Commons informed that Messrs. Hargrave and Thompson form the Senate's branch of the committee to superintend said election.

Mr. Steele, from the Select Committee on Agriculture, to whom was referred the bill to encourage agriculture, domestic manufactures, and the mechanic arts, reported the same back to the Senate with sundry amendments.

Mr. Steele also submitted a report on the subject of agriculture; which said bill and report, on motion of Mr. Cunningham, were ordered to be printed.

Mr. Woodfin introduced a bill to appoint commissioners to locate the town of Marshall ; which was read the first time and passed.

Also, a bill appropriating money in aid of internal improvements ; which was read the first time and passed, and, on motion of Mr. Woodfin, said bill was made the special order of the day for Wednesday next, at the hour of half-past one o'clock.

The hour of 11 o'clock having now arrived, the Speaker announced the special order, being the bill to attach a part of the county of Davidson to the county of Forsythe.

The said bill was read the second time and rejected—ayes 8, noes 36.

Mr. Gilmer demanded the yeas and nays.

| Those who voted in the affirmative, are :

Messrs. Arendell, Bynum, Gilmer, T. F. Jones, McClees, Mitchell, Murray, and Woodfin—8.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cowper, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Joyner, Kelly, Kerr, Lane, McDowell, McMillan, Murchison, Palmer, Richardson, Shaw, Speight, Thompson, Ward, Washington, Watson, Withers and Willey—36.

Received a message from the Governor, as President *ex-officio* of the Literary Board, by the hands of his private Secretary, Mr. W. H. Jones, in answer to a resolution of the Senate, in relation to the swamp lands ; which was read, and, on motion of Mr. Joyner, referred to the Committee on Swamp Lands.

Mr. Kelly moved that a message be sent to the House of Commons proposing that the two Houses go into an election for Attorney General, this day, at 2 o'clock P. M.

Upon a division, 23 were found voting in the affirmative, and 23 in the negative.

There being a tie, the Speaker voted in the negative, and the motion was lost.

The Senate now proceeded to the consideration of the resolution concerning the Supreme and Superior Courts ; pending the consideration of which,

A message was received from the House of Commons, stating that the hour agreed upon for counting and comparing the votes cast for Governor in August last, had now arrived, and that the House of Commons was ready to receive the Senate for that purpose.

The Senate repaired to the Commons Hall, and Mr. Speaker Edwards made the following announcement to the Convention of the two Houses :

Gentlemen of the Senate

and of the House of Commons :

The two Houses of the General Assembly being here assembled, I will proceed, according to the requirements of the Constitution, to open and publish, in their presence, the returns of the election for Governor, held on the first Thursday of August. I will commence with the counties in alphabetical order.

The returns were then opened, and the vote compared in the presence of the Convention of the two Houses, under the inspection of Mr. Boyd, as Teller on the part of the Sen-

ate, and Messrs. W. J. Long and Norfleet, as Tellers on the part of the House of Commons.

Mr. Boyd, in behalf of the Tellers, reported the result of the Convention as follows, viz :

COUNTIES.	FOR D. S. REID.	FOR JOHN KERR.
Ashe,	682	358
Alexander,	230	361
Anson,	513	1088
Burke,	489	1216
Bertie,	420	527
Beaufort,	554	847
Brunswick,	271	343
Bladen,	631	358
Buncombe,	684	946
Caldwell,	196	600
Cumberland,	1388	783
Currituck,	603	178
Chowan,	228	249
Cherokee,	551	540
Camden,	122	488
Cabarrus,	441	714
Carteret,	392	411
Caswell,	1013	270
Columbus,	443	198
Chatham,	980	995
Cleaveland,	870	305
Craven,	698	597
Davidson,	746	951
Davie,	345	490
Duplin,	1072	190
Edgecombe,	1425	104
Franklin,	721	341
Greene,	361	347
Granville,	1063	1005

COUNTIES.	FOR D. S. REID.	FOR JOHN KERR.
Guilford,	480	1524
Gates,	406	363
Haywood,	551	368
Hyde,	408	368
Hertford,	246	360
Halifax,	541	551
Henderson,	340	762
Johnston,	883	733
Jones,	240	214
Iredell,	393	1035
Lincoln,	1934	680
Lenoir,	459	267
Macon,	432	451
Mecklenburg,	1421	731
Madison,	168	278
Martin,	676	260
Montgomery,	209	706
Moore,	646	615
New Hanover,	1342	350
Northampton,	586	504
Nash,	1030	84
Orange,	1796	1528
Onslow,	696	167
Pitt,	649	638
Person,	550	341
Pasquotank,	247	453
Perquimons,	312	347
Robeson,	760	693
Rutherford,	590	1106
Rowan,	712	776
Richmond,	194	624
Randolph,	439	1279
Rochingham,	1072	356
Stanly,	80	896
Stokes,	1481	1132

COUNTIES.	FOR D. S. REID.	FOR JOHN KERR.
Surry,	1376	1206
Sampson,	905	509
Tyrrel,	114	282
Warren,	697	162
Wilkes,	393	1345
Washington,	297	247
Watauga,	234	183
Wake,	1561	1102
Wayne,	1196	283
Yancy,	694	336
	<hr/> 48,567	<hr/> 43,003

The following announcement was made by the Speaker of the Senate, to the Convention of the two Houses, viz :

Gentlemen of the Senate

and of the House of Commons :

The Tellers, appointed by the two Houses, to compare the returns, and make a list of the votes given at the late election for Governor, in this State, report, that David S. Reid received 48,567 votes, being, the highest number of votes given ; and that John Kerr received 43,003 votes. No objection being made to this report, I declare David S. Reid duly elected Governor of the State of North Carolina, for two years from the 1st of January next.

WELDON N. EDWARDS,

Speaker of the Senate

The members of the Senate then returned to the Senate chamber, and resumed the consideration of the resolution respecting the Supreme and Superior Courts ; after some time spent in debate, on motion of Mr. T. F. Jones, the

further consideration of said resolution was postponed until to-morrow, half past 10 o'clock.

The bill in relation to executors of last wills and testaments, was now taken up, and the substitute proposed by the committee agreed to. The bill was further amended, on motion of Mr. Bynum; but before any vote was taken on the passage of the bill, its further consideration was suspended, to receive.

A message from the House of Commons, announcing that Messrs. Wheeler and W. J. Long from their branch of the committee to superintend the election for U. S. Senator and that the hour agreed upon by the two Houses, to go into said election, having arrived, the House of Commons would proceed to vote on the return of messenger. The message also announced that the name of R. M. Saunders is withdrawn, and that of Kenneth Rayner put in nomination.

The Senate then voted as follows:

FOR MR. DOBBIN.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillian, Murchison, Person, Shaw, Speight, Ward, Withers and Woodfin.—27.

FOR MR. RAYNER.

Messrs. Albright, Arendell, Albritton, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson, Washington, Willey and Woodlin.—22.

Mr. Watson voted for Mr. Shepard.

The Senate now resumed the consideration of the bill in relation to executors of last wills and testaments.

On motion of Mr. Caldwell, ordered that said bill be laid on the table.

The bill to incorporate the Charleston, Blue Ridge and Chattanooga Railroad company, was read the third time, passed and ordered to be engrossed.

On motion of Mr. Caldwell, the Senate adjourned.

TUESDAY, Dec. 7th, 1852.

The Speaker laid before the Senate a statement of the bank of Wadesborough, which, on motion of Mr. Bynum was ordered to be printed.

Mr. Clark, from the Committee on Corporations, reported back the bill for the better government of the town of Lincolnton, and to amend the existing corporate laws of said town and, asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Clark, from the same committee, reported back the bill to consolidate and amend the several acts heretofore passed for the government of the town of Oxford, and asked to be discharged from the further consideration of the subject.

Discharged accordingly.

Mr. Bynum, from the Select Committee to whom was referred the bill to authorize the business of banking, reported the same back without amendment and recommended its passage.

Ordered to lie on the table.

Received a message from the House of Commons, transmitting the following engrossed bill, to amend an act, (and the supplement thereto,) entitled "an act to incorporate the Cape Fear and Deep Rivers, above Fayetteville," in which they ask the concurrence of the Senate.

The said bill was read the first time and passed, and, on motion of Mr. Hoke, made the special order for Thursday next, at 12 o'clock.

Mr. Clark, from the Committee on Corporations, to whom was referred the bill to incorporate the Burnsville Division of the Sons of Temperance, No. 209

The bill to incorporate Indian Ridge Division, No. 220, of the Sons of Temperance:

The bill to incorporate Lake View Division, No. 161, of the Sons of Temperance:

The bill to incorporate Troy Division, No. 130, of the Sons of Temperance:

The bill to incorporate Social Division of the Sons of Temperance, No. 58: and

The bill to incorporate Sunbury Division of the Sons of Temperance:

Reported said bills back to the Senate, and recommended that no further action be taken on said bills.

Mr. Clark, from the same committee, reported the bill to incorporate the True Brothers Society in the town of Wil-

mington, and recommended that no further action be had on the subject.

Mr. Cunningham introduced the following resolution, viz :

Resolved, That from and after Thursday next, the Senate will take a recess from two o'clock until half past three o'clock, P. M., each day.

Mr. Bynum moved that the resolution be laid on the table, which motion was disagreed to—ayes 18, noes 26.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Arendell, Brogden, Bynum, Caldwell Collins, Cowper, W. Jones, Joyner, Kelly, Lane, Lillington, Murchison, Palmer, Parks, Sreele, Watson and Woodin—18.

Those who voted in the negative are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Bunting, Cannady, Clark, Cunningham, Drake, Hargrave, Herring, Hoke, T. F. Jones, Kerr, McClees, McDowell Murray, Person, Richardson, Shaw, Speight, Ward, Washington, Withers and Willey—26.

The resolution was then adopted.

Mr. Bynum then called for the orders of the day ; whereupon the Senate agreed to consider the resolution concerning the Supreme and Superior Courts ; pending debate, Mr. Washington moved to postpone the further consideration of the same until the morning business had been gone through with ; which motion was agreed to.

Mr. McClees presented the petition of Charles Latham and others ; which, on motion, was referred to the Committee on Claims.

Mr. Hargrave, from the Committee appointed to superintend the election of a United States Senator, reported that no person in nomination having received a majority of the whole number of votes given—there is no election.

Report concurred in.

Mr. DeDowell introduced a bill to regulate the pay of witnesses in the county of Brunswick; which was read the first time and passed.

On motion of Mr. Boyd,

Resolved, That a message be sent to the House of Commons, proposing that a committee of one on the part of the Senate and two on the part of the House of Commons, be appointed to wait on his Excellency, David S. Reid, and inform him of his election as Governor of North Carolina, for two years from the first day of January next, and to ascertain from him, when it will suit his convenience to appear before the two Houses of this General Assembly and take the oaths of office.

Mr. Washington introduced a bill to amend an act concerning Courts of Justice, Practice, Pleas and Process; which was read the first time and passed, and, on motion of Mr. Bynum, referred to the Committee on Propositions and Grievances.

Mr. Murchison introduced a bill to incorporate the Upper Little River Navigation Company, in the county of Cumberland; which was read the first time and passed.

Received a message from the House of Commons, transmitting the following engrossed resolution and bill, in which they ask the concurrence of the Senate, viz :

A resolution for purchasing outline maps: and

A bill to prevent live stock from malicious destruction.

The resolution was read the first time and passed ; and said bill read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

On motion of Mr. Lillington,

Ordered, That a message be sent to the House of Commons, proposing that the two Houses go into an election of a Superintendent of Common Schools, this day at quarter before 12 o'clock.

Mr. Berry introduced a bill to amend the Constitution of North Carolina ; which being read the first time, Mr. Joyner raised a point of order and insisted that the bill now under consideration was identically the same with the bill heretofore rejected by the Senate, and that another of the same kind could not be entertained.

The Speaker decided the bill to be in order ; from which decision Mr. Joyner appealed.

And the question—shall the decision of the Chair stand as the judgment of the Senate ? was determined in the affirmative—ayes 29, noes 20.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting Caldwell, Cannady Clark, Collins, Cunningham, Drake, Hargrave Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Steele, Thomas, Ward, Watson, and Withers.—29.

Those who voted in the negative, are :

Messrs. Albright, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McNeels, Mitchell, Murray, Palmer, Parks, Richardson, Thompson, Washington Willey and Woodfin—20.

So the Speaker was sustained.

Mr. Woodfin now moved that the further consideration of the bill be postponed until Tuesday next, and that it be made the special order for that day at the hour of 12 o'clock; which motion was rejected—ayes 22, noes 27.

Mr. Berry demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson, Washington, Willey and Woodfin—22.

Those who voted in the negative, are:

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Ward, Watson, and Withers—27.

Mr. Bynum now moved to postpone the further consideration of the bill until Monday next, at 11 o'clock; which motion was disagreed to—ayes 22, noes 27.

Mr. Brogden, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson, Washington, Willey and Woodfin—22.

Those who voted in the negative are,

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring,

Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Ward, Watson, and Withers--27.

Mr. Lillington now moved an amendment to the bill.

The Speaker decided that no amendment was in order upon the first reading of a bill: From which decision Mr. Lillington appealed. And the question, shall the decision of the chair stand as the judgment of the Senate? was determined in the affirmative--ayes 28, noes 20.

Mr. Lillington demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, Mitchell, Murchison, Person, Shaw, Speight, Thomas, Ward, Washington, Watson and Withers--28.

Those who voted in the negative, are:

Messrs. Albright, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson, Willey and Woodfin.--20.

So the Speaker was sustained.

Mr. Woodfin moved that the bill be postponed until Friday next, at 12 o'clock.

The question on which motion was disagreed to--ayes 22, nays 27.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson, Washington, Willey and Woodfin—22.

Those who voted in the negative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Ward, Watson and Withers—27.

Mr. Kelly now moved that the further consideration of the bill be postponed until Friday next, and that it be made the special order for that day, at the hour of 11 o'clock.

The question on which said motion was determined in the negative, ayes 24, noes 25.

Mr. Kelly demanded the ayes and noes.

Those who voted in the affirmative, are:

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McDowell, Mitchell, Murchison, Murray, Palmer, Parks, Richardson, Steele, Thompson, Washington, Willey and Woodfin—24.

Those who voted in the negative are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McMillan, Person, Shaw, Speight, Thomas, Ward, Watson and Withers. 25.

Before any question was taken on the passage of the bill, its further consideration was suspended,

To receive,

A message from the House of Commons, stating that they have laid on the table the proposition of the Senate to go

into an election for a Superintendent of Common Schools at a quarter before 12 o'clock this day.

Also, announcing that the House of Commons concur in the proposition of the Senate to raise a joint committee of two on the part of the Commons, and one on the part of the Senate, to wait on his Excellency David S. Reid, Governor elect, to inform him of his election and ascertain when it will suit his convenience to appear before the two Houses to take the oaths of office;

And, that the committee on the part of the House of Commons consists of Messrs. Carmichael and W. E. Hill.

Whereupon, Mr. Boyd was appointed the committee on the part of the Senate, and the House of Commons informed thereof.

Received a message from the House of Commons transmitting the resignation of Wm. H. Battle, as Judge of the Superior Court; which was read and accepted.

On motion of Mr. Woodfin, the Senate adjourned.

WEDNESDAY, DEC. 8th, 1852.

Mr. Clark, from the Committee on Corporations, to whom was referred the bill to incorporate Excelsior Lodge, No. 41, I. O. O. F. reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Clark, from the same Committee, reported back to the Senate, the bill to incorporate Columbus Academy, near the town of Whitesville, Columbus county.

Also, the bill to incorporate the Trustees of Buena Vista Academy, in the county of Iredell: and

The bill to incorporate Science Hill Female Academy, in the county of Randolph, and asked to be discharged from their further consideration.

Discharged accordingly.

M. Clark, from the same committee, reported back, without amendment, the bill to incorporate the North Carolina Mining Company.

Ordered to lie on the table.

Mr Clark, from the same committee, reported back the bill to incorporate the Carolina Lodge, No. 141, of Ancient York Masons, in the county of Anson, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Thomas, from the committee on Internal Improvements, reported back the bill to incorporate the North Carolina and Western Railroad Company, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Boyd introduced a bill, accompanied by a statistical table respecting the same, to apportion the members of the House of Commons; which was read the first time and

passed, and, on motion said bill and table were ordered to be printed.

Mr. Gilmer introduced the following resolution, viz :

WHEREAS, the Charter of the Raleigh and Gaston Railroad Company, passed at the last session of the General Assembly, has been accepted, and the suits, heretofore ordered to be brought against the Stockholders of the late company, have been dismissed by the Governor, in pursuance of the said act, and the costs of the same remain unprovided for,

AND WHEREAS, counsel was employed by the State to aid in prosecution of said suits, whose compensation has never been fixed or paid;

Therefore,

Resolved, That it be referred to the Committee on the Judiciary, to enquire and report what is a just compensation to the Counsel, and also, a resolution to pay the same and all costs for which the State may be justly liable.

Which said resolution was read and adopted.

Mr. McMillan introduced a bill to incorporate the Jacksonville and Trent River Plankroad Company in the the county of Onslow : which was read the first time and passed, and, on motion, referred to the Committee on Corporations

Mr. Caldwell introduced a bill to incorporate the Atlantic, Tennessee and Ohio Railroad Company ; which was read the first time and passed, and, on motion, referred to the Committee on Internal Improvements.

Mr. Bower introduced a bill to extend the time for perfecting titles to lands heretofore entered ; which was read the first time and passed, and, on motion of Mr. Lillington, referred to the Committee on the Judiciary.

Mr. Lane introduced a bill to incorporate the Ashboro and Salisbury Plank Road Company ; which was read the first time and passed, and, on motion, referred to the Committee on Corporations.

A message was sent to the House of Commons, stating that the Senate have passed the engrossed bill to incorporate the Charleston, Blue Ridge and Chattanooga Railroad Company, in which they ask the concurrence of that body.

Mr. Bynum introduced a bill to incorporate the Rutherford and Cleveland Plank Road Company ; which was read the first time and passed.

Mr. Thomas, from the same committee, reported back the bill to incorporate the New River Canal Company, and recommended its passage.

Ordered to lie on the table.

Mr. Thomas, from the same committee, reported back the bill to improve the navigation of the Southwest branch of New River, in the county of Oaslow, and recommended its passage.

Ordered to lie on the table.

Mr. Palmer introduced a resolution in favor of Marvel Kirk, late Sheriff of Stanly county ; which was read the first time and passed, and, on motion, referred to the Committee on Propositions and Grievances.

Mr. McClees introduced a bill to repeal an act passed at the session of 1833-'34, entitled "an act concerning fishers on the Scuppernong river, in the counties of Tyrrel and Washington ; which was read the first time and passed.

Mr. Thomas, a resolution in favor of Binum W. Bell; which was read the first time and passed.

The Senate now resumed the consideration of the unfinished business of yesterday, viz :

“The bill to amend the Constitution of North Carolina,” and the question recurring on the passage of the bill its first reading, was determined in the affirmative, three-fifths of the whole representation of the Senate having voted in its favor

On motion of Mr. Caldwell, said bill was made the special order of the day for Friday next at the hour of 12 o'clock, and for each successive day until disposed of.

On motion of Mr. Bynum, the Senate now proceeded to the consideration of the resolution, concerning the Supreme and Superior Courts of this State; which said resolution was read and rejected.

On motion of Mr. Brogden, the engrossed bill to confirm the grant heretofore issued to B. H. Stanmire, was now taken up and read the second time.

Mr. Thomas moved to postpone the further consideration of the same until Friday evening next at the hour of 4 o'clock;

Pending the consideration of the bill,

The Speaker announced the special order, being the engrossed bill to incorporate a bank in the town of Plymouth, in the county of Washington.

On motion of Mr. Bynum, the consideration of said bill was postponed till Monday next at half past three o'clock, and made the special order for that hour.

The Senate then resumed the consideration of the bill to confirm the grant heretofore issued to B. H. Stanmire.

Pending the consideration of which,

The hour of half-past one o'clock having arrived, the Speaker announced the special order, viz :

“The bill appropriating money in aid of Internal Improvements,” and the said bill being read the second time, Mr. Steele moved the following amendment to come in after the appropriation for Yadkin River, namely: “\$300,000 to the Pedee River, and \$50,000 to Lumber River, commencing at the point where the Wilmington and Manchester Railroad crosses that stream.’

Mr. Person moved to amend the amendment, by appropriating \$25 000 for Roanoke River, to be expended in improving the same between the towns of Weldon and Plymouth ; which amendment to the amendment was disagreed to.

But pending the consideration of Mr. Steele’s amendment,

On motion of Mr. Bynum, the Senate adjourned.

THURSDAY, Dec. 9th, 1852.

Mr. Caldwell introduced the petition of Wm. Davidson of Mecklenburg county, in relation to his claim against the

N. C. Catawba Navigation company; which, on motion, was referred to the Committee on Claims.

Mr. Drake, from the Committee on Claims, reported back the resolution in favor of Geo. W. Scarborough, and recommended its adoption.

Ordered to lie on the table.

On motion of Mr. Lane,

Resolved, That the Committee on Education be instructed to enquire whither any, and what, additional Legislation is necessary, in regard to the mode of distributing the school fund, and that they report by bill or otherwise.

Mr. Barrow introduced a bill to incorporate the town of Winston; which was read the first time and passed, and, on motion, referred to the Committee on Corporations.

Received a message from the House of Commons, transmitting the engrossed resolution on the public lands, which was read the first time and passed.

On motion of Mr. Boyd, the Senate now took up for consideration the bill to lay off this State into fifty Senatorial Districts; which was read the first time and passed.

Mr. Willey introduced a bill to incorporate the Suffolk and Gatesville Railroad company; which was read the first time and passed, and, on motion, referred to the Committee on Internal Improvements.

Received a message from the House of Commons, proposing to raise a Joint Select Committee of five, on the part of the Senate, to whom shall be referred the report of the the Commissioners relative to the Lunatic Asylum; which

proposition was agreed to, and the Commons informed that the Senate's branch of the Committee consists of Messrs. Cunningham, Lillington, Hoke and Thompson.

Mr. Cowper, from the Committee on Finance, reported a bill to refund to the Treasury, certain monies, and for other purposes, as a substitute for the resolution heretofore presented by Mr. Drake; which was read the first time and passed.

On motion of Mr. Washington, the consideration of the bill to incorporate the Atlantic and North Carolina Railroad company, which was made the special order for to day at 11 o'clock, was postponed until to-morrow 11 o'clock and made the special order of the day for that hour.

On motion of Mr. Woodfin, the Senate now proceeded to the consideration of the unfinished business of yesterday, viz :

"The bill appropriating money in aid of Internal Improvements."

The pending question being on the amendment proposed by Mr. Steele,

Mr. Woodfin moved to amend the amendment by striking out so much of the same as appropriates \$300,000 for the improvements of the Pee Dee River.

Which was agreed to.

Mr. Cowper now moved to amend the amendment by appropriating \$25,000, for the improvement of the Meherrin River, from its mouth, as far as the navigation of the same is practicable, within the limits of North Carolina.

Which was adopted.

Mr. Albritton moved to amend said amendment by appropriating \$50,000, to the improvement of Tar River above Taft's Store.

Mr. Cannady moved that the bill and amendments be indefinitely postponed.

The motion to postpone indefinitely being withdrawn,

On motion of Mr. Gilmer, pending the question on Mr. Albritton's amendment, to the amendment, the further consideration of the same was postponed until to-morrow half after 3 o'clock, and made the special order of the day for that hour.

On motion of Mr. Bynum,

Resolved, That the Committee on the subject of the Lunatic Asylum be instructed to enquire and report, whether the Commissioners to superintend the construction of the said Asylum entered into any contract with any builder at the time the building was commenced, or before; whether any plan was then fixed upon; whether the cost of said plan was then ascertained; whether the plan has since been altered and by what authority said alteration has been made; and when the said Commissioners ascertained that the building would cost \$140,000.

The Speaker announced the unfinished business of yesterday, viz :

The bill to confirm the grant heretofore issued to B. H. Stanmire; which, being taken up, on motion of Mr. Caldwell, was ordered to be laid on the table.

On motion of Mr. Bynum, the Senate now proceeded to the consideration of last will and testaments,

The pending question being, on the amendment proposed as a substitute, by the committee; which was agreed to.

On motion of Mr. Mitchell, the bill was further amended and rejected—ayes 17, noes 29.

Mr. Collins demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Berry, Bower, Bunting, Bynum, Caldwell, Collins, Cunningham, Herring, Hoke, W. Jones, Kerr, Lane, Mitchell, Person, Shaw, Speight and Woodfin—17.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Barrow, Boyd, Brogden, Caldwell, Clark, Cowper, Drake, Gllmer, Hargrave, T. F. Jones, Joyner, Kelly, Lillington, McClees, McDowell, McMillan, Murchison, Murray, Palmer, Parks, Richardson, Thompson, Ward, Washington, Watson, Withers and Willey—29.

On motion of Mr. Shaw, the Senate adjourned.

FRIDAY, Dec. 10th, 1852.

Received a message from the House of Commons, proposing that the two Houses go into an election this day at 11 o'clock, for a superintendent of Common Schools; which proposition was agreed to.

Upon leave had and obtained,

Mr. Steele laid on the table a bill, accompanied by a tabular statement, to apportion the representation in the House of Commons, and moved that said bill and statement be printed.

Which was agreed to.

Mr. McMillan introduced a resolution in favor of W. D. Humphrey, Sheriff of Onslow, which was read the first time and passed.

Mr. T. F. Jones, a bill to ammend the 6th chapter of the Revised Statutes, concerning attachments; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

Mr. Washington, a bill to incorporate the North Carolina Mining company, which was read the first time and passed, and, on motion, referred to the Committee on Corporations.

Also, a bill to incorporate the Manteo Mining company, which was read the first time and passed, and on motion referred to the Committee on Corporations.

Received a message from the House of Commons, transmitting a communication from the Adjutant General, with a proposition to print the same.

Which was agreed to.

Also, a message concurring in the amendments of the Senate to the following bills, viz :

A bill to incorporate the Chapel Hill and Durhamville Plank Road company:

A bill to incorporate the Lumberton and Cape Fear Plank Road company:

A bill to incorporate the Fayetteville and Raleigh Railroad company:

A bill to incorporate the Haywood and Chapel Hill Plank Road Company:

And a bill in relation to the collection of partnership and other debts.

Ordered that said bills be enrolled.

The bill to extend the right of Appeal, prevent unnecessary accumulation of costs, expedite justice, and for other causes, was now taken up.

Mr. Kelly moved that the same be laid on the table.

Not agreed to.

The bill was then read the third time.

Mr. Kelly moved that the said bill be recommitted.

Not agreed to.

Mr. Kelly then moved to lay the bill on the table, which motion prevailed.

Mr. Cunningham, with leave, introduced the following resolution, viz:

Resolved, That from and after to day no special order shall be taken up until after 12 o'clock; which was adopted.

Received a message from the House of Commons, transmitting a communication from the Governor, with a proposition to print the same; which proposition was concurred in.

Mr. Bynum, with leave, introduced a bill to revive and continue in force an act to incorporate the North Carolina Manufacturing, Mining and Land company, passed at the Session of the General Assembly of 1850: which was read the first time and passed.

The hour of 11 o'clock having arrived, the Speaker announced the special order, viz :

"The engrossed bill to incorporate the Atlantic and North Carolina Railroad company."

Mr. Caldwell moved that the Senate be discharged from the consideration of the order.

Which was not agreed to.

The bill was then read the second time.

Mr. Steele moved to amend the 134th section of the bill, by striking out so much of the same as provides for the transfer of \$25,000, of the capital stock of the Fayetteville and Western Plank Road company; which motion was agreed to.

Mr. Bower now moved to amend said section by striking out so much of the same as authorizes the transfer of \$475,000, of the capital stock of the Raleigh and Gaston Railroad Company.

The question on said amendment was decided in the negative—ayes 18, nocs 26.

Mr. Bower demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Clark, Collins, Cunningham, Drake, W. Jones, Joyner, McDowell, Mitchell, Person, Shaw, Watson and Withers—18.

Those who voted in the negative, are :

† Messrs. Albright, Albritton, Arendell, Brogden, Gilmer, Hargrave, Herring, Hoke, T. F. Jones, Kelly, Kerr, Lane, Lillington, McClees, McMillan, Murchison, Murray, Palmer, Parks, Richardson, Speight, Steele, Thomas, Thompson, Washington and Woodfin—26.

So the Senate refused to strike out.

Mr. Bower moved to amend the 37th section of the bill by striking out the following words viz: "which bonds shall be endorsed by the Treasurer of the State, upon the express condition that the authorities of such town or corporation shall annually levy and collect such an amount of taxes as may be sufficient to pay the interest on said bonds and gradually to pay and discharge the principal; and on their failure so to provide, it shall be lawful for the General Assembly to levy and collect such amount of taxes on the property and persons of such inhabitants in said town or corporation as shall be sufficient to pay off both principal and interest on such bonds."

Pending the consideration of which, the Senate took a recess until half-past 3 o'clock, P. M.

HALF-PAST THREE O'CLOCK.

The Speaker announced the special order viz: the bill appropriating money in aid of internal improvements,

The pending question being on the amendment to the amendment; which, on motion of Mr. Albritton, was withdrawn.

The question now recurring on the amendment of Mr. Steele, as amended, the same was adopted.

Mr. Joyner moved to amend the bill by striking out so much of the same as provides for an appropriation of \$500,000, to improve Nag's Head, which was agreed to.

Mr. Lillington moved an adjournment. Not agreed to.

Mr. Boyd moved the following amendment, viz: "That the sum of \$500,000, be appropriated to the construction of a Railroad communication between Danville, in Virginia, and Greensborough, in Guilford county, or at such points near those places deemed most practicable;" which was rejected.

Mr. Bynum moved that the Senate do now adjourn; not carried.

On motion of Mr. Arendell, the bill was amended by inserting after the words "Shepard's Point," the words, "or Beaufort."

Mr. Woodfin moved that the bill be laid on the table.

Mr. Caldwell moved an adjournment; not carried.

The question on laying the bill on the table was disagreed to.

Mr. Caldwell now moved an adjournment; which was not carried.

Mr. Brogden moved that the bill be indefinitely postponed.

Pending which, on motion of Mr. Washington, the Senate adjourned.

SATURDAY, Dec. 11th, 1852.

Mr. Clark, from the Committee on Corporations, reported back the bill to incorporate the Jacksonville and Trent River Plank Road Company, with an amendment, and recommended its passage.

Ordered to lie on the table.

On motion of Mr. McDowell,

Resolved, That no bill shall be introduced into the Senate after Monday next, unless by unanimous consent.

Mr. Caldwell introduced the following resolution, viz :

Resolved, That the Public Treasurer pay to the North Carolina Railroad Company, one hundred thousand dollars, towards the first instalment due from the State for stock subscribed in said company, and that he replace that amount in the public Treasury out of the proceeds of the first sale of the bonds of the State, sold to raise the State's subscription to said company.

Which was read the first time and passed, and, on motion, the rules were suspended and the resolution read the second and third time and passed, and ordered to be engrossed.

On motion of Mr. Caldwell, the 15th rule was suspended and the resolution sent to the House of Commons, asking their concurrence in the same.

Received a message from the House of Commons, accompanied by a communication from the Governor, transmitting the report of the Petersburg, Roanoke and Greenville Railroad Company.

Also, the statement of the Merchants' Bank of Newbern, with a proposition to print the same.

Concurred in.

Also, transmitting the following resolution, in which they ask the concurrence of the Senate, viz :

"Resolution as to the bar at the mouth of Cape Fear River ;" which was read, and on motion of Mr. Caldwell, ordered to be laid on the table.

Received, also, the resignation of F. D. Reinhardt, a Justice of the Peace of Cawtaba county ; which was read and accepted.

Received a message from the House of Commons, transmitting the following engrossed bill, in which they ask the concurrence of the Senate, viz :

A bill for the better regulation of the town of Clinton, in Sampson county ; which was read the first time and passed.

Received a message from the House of Commons, transmitting the following engrossed bill, in which they ask the concurrence of the Senate, viz :

A bill to incorporate Uharie and Yadkin Plank Road Company ; which was read the first time and passed, and, on motion of Mr. Clark, referred to the Committee on Corporations.

On motion of Mr. T. F. Jones,

Resolved, That a message be sent to the House of Commons, proposing to go into the election of Superintendent of Common Schools on Monday next, at 11 o'clock.

The bill to regulate appeals to the Superior Courts in the 6th Judicial Circuit was read the third time, passed, and, ordered to be engrossed.

The engrossed bill to amend the 53rd section of the 34th chapter of the Revised Statutes, was read the third time, passed and ordered to be enrolled.

The engrossed bill to incorporate the Franklinsville Manufacturing Company, in the county of Randolph, was read the third time, passed and ordered to be enrolled.

The bill supplemental to an act passed at the last session of the General Assembly, entitled "an act to alter the line between counties of Buncombe and Henderson," was read the third time, passed and ordered to be engrossed.

The bill to incorporate the Swift Creek Plank Road Company, was read the third time, passed and ordered to be enrolled.

The bill to emancipate James Hostler was read the third time and passed—ayes 32, noes 13.

Mr. Bynum demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs.. Albright, Arendell, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Gilmer, Hargr ve, He ring, Hoke, T. F. Jones, Joyner, Kelly, Kerr, Lane, Lillington, McNeels, McDowell, McMillan, Mitchell, Murchison, Murray, Parks, Richardson, Thomas, Thompson, Ward, Washington, Watson and Withers—32.

Those who voted in the negative, are :

Messrs. Albritton, Bynum, Caldwell, Cannady, Clark, Cowper, Cunningham, Drake, Palmer, Shaw, Speight, Steele, and Willey—13.

Received a message from the House of Commons, concurring in the proposition of the Senate, that the two Houses vote for a Superintendent of Common Schools on Monday next, at 11 o'clock.

The bill to incorporate the North Carolina Mining Company was read the second time and passed, and, on motion of Mr. Albritton, the rules were suspended and the bill read the third time, passed and ordered to be engrossed.

Mr. Thomas, from the Committee on Internal Improvements, reported back the bill to transfer part of the stock of the Fayetteville and Western Plank Road Company, to the Ashville and Greenville Plank Road Company, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Thomas, from the same committee, to whom was referred a resolution to improve the Yadkin River, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Thomas, from the same committee, reported back the bill to incorporate the Noola River and Copper Mine Turnpike Company, and recommended its passage.

Ordered to lie on the table.

Mr. Gilmer introduced a bill relating to witnesses; which was read the first time and passed, and, on motion, referred to the Committee on the Judiciary.

The Senate now proceeded to the consideration of the amendment of the House of Commons, to the engrossed bill to repeal an act passed in 1850-51, entitled "an act to establish a new county by the name of Jackson;" which said amendment provides for a due organization of the county aforesaid by a supplemental bill.

The question on concurring in the amendment was determined in the negative—ayes 22, noes 25.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Barrow, Bower, Boyd, Bynum, Caldwell, Gilmer, Hargrave, Hoke, W. Jones, Kelly, Lane, Lillington, McDowell, McMillan, Mitchell, Murchison, Parks, Speight, Thomas, Watson, Withers and Woodfin—22.

Those who voted in the negative, are:

Messrs. Albright, Albritton, Arendell, Berry, Brogden, Bunting, Canady, Clark, Cowper, Cunningham, Drake, Herring, T. F. Jones, Joyner, Kerr, McClees, Murray, Palmer, Person, Richardson, Shaw, Steele, Thompson, Ward and Willey—25.

So the amendment proposed by the House of Commons was disagreed to, and the House informed thereof.

The bill to consolidate and amend the several acts heretofore passed for the government of the town of Oxford, in Granville county, was now taken up, and, on motion of Mr. Joyner, ordered to be laid on the table.

The bill to appoint commissioners to locate the town of Marshall was read the second time and passed.

The bill to provide for the improvement of the road, from Reddie's River, to the Tennessee line, was read the second time, and the amendment proposed by the committee agreed to.

The question now recurring on the passage of the bill, on its second reading, the same was determined in the affirmative—ayes 30, noes 15.

Mr. Willey demanded the ayes and noes.

Those who voted in the affirmative, are:

Messrs. Albright, Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Cannady, Gilmer, Hargrave, Herring, Hoke, T. F. Jones, W. Jones, Kelly, Kerr, Lane, Lillington, McDowell, McMillan, Mitchell, Murchison, Palmer, Parks, Shaw, Speight, Steele, Thomas, Washington and Woodfin—30.

Those who voted in the negative are:

Messrs. Albritton, Brogden, Clark, Cowper, Cunningham, Drake, Joyner, McClees, Murray, Person, Richardson, Thompson, Watson, Withers and Willey.—15.

So the bill passed its second reading.

The Speaker announced the unfinished business of yesterday, viz: The bill appropriating money in aid of Internal Improvements; which, on motion of Mr. Cunningham, was ordered to lie on the table.

A bill to incorporate the Atlantic and North Carolina Railroad company, was now taken up, as the unfinished business of yesterday—

The pending question being on the amendment of Mr. Bower; which was agreed to—ayes 29, noes 17.

Mr. Bower demanded the yeas and nays.

Those who voted in the affirmative, are :

Mssrs. Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bynum, Caldwell, Cannady, Clark, Cowper, Cunningham, Drake, Hargrave, Herring, Hoke, T. F. Jones, W. Jones, Joyner, Kerr, McClees, McDowell, Mitchell, Parks, Person, Shaw, Watson, Withers and Wiley--29.

Those who voted in the negative are :

Messrs. Albright, Afendell, Bunting, Gilmer, Kelly, Lane, Lillington, McMillan, Murchison, Murray, Palmer, Richardson, Sreele, Thomas, Thompson, Washington and Woodfin-- 17.

The bill was further amended, on motion of Mr. Washington.

Mr. Hoke now offered an amendment to the bill, which provides for an extension of the road to the Tennessee line.

Mr. Mitchell moved to amend the amendments as follows, viz : Strike out the word "\$1,000,000," in the 5th, 6th and 8th sections, and insert, in lieu thereof, \$250,000 ; which was disagreed to.

Pending the consideration of the amendment of Mr. Hoke,

The Senate took a recess until half-past 3 o'clock.

HALF-PAST 3 O'CLOCK.

The Senate, in pursuance of a joint order heretofore made, preceeded to the appointment of Justices of the Peace to fill the vacancies in this State.

Several recommendations for Justices of the Peace were read and accepted, and ordered to be transmitted to the House of Commons.

Received a message from the House of Commons, containing recommendations for Justices of the Peace for sundry counties ; which were read and accepted.

Also, for the county of Jackson ; which, on motion, was laid on the table.

For the county of Pitt ; which, on motion, was laid on the table.

For the county of Warren ; which, on motion, was rejected.

For the county of Bladen ; which, on motion of Mr McDowell, was laid on the table.

For the county of Wilkes ; which, on motion, was laid on the table.

Received a message from the House of Commons, informing that they had accepted the recommendation of certain persons as Justices of the Peace, for the county of Yadkin, made by Messrs Puryear and Gwyn, and asking the concurrence of the Senate.

Mr. Bower moved that said recommendations be laid on the table.

This question was decided in the affirmative—ayes 24, noes 16.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Clark, Cunningham, Drake, Hargrave, Herring, Hoke, Joyner, Kelly, McDowell, Murchison, Person, Richardson, Shaw, Speight, Steele, Ward, Watson and Withers—24.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Kerr, Lillington, McClees, McMillan, Mitchell, Murray, Palmer, Washington and Willey—16.

Also, a message informing that they had accepted the recommendation of sundry Justices of the Peace for Stokes county, in which they ask the concurrence of the Senate.

Mr. Barrow moved that said recommendations be laid on the table ; which was carried—ayes 23, noes 15.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Barrow, Berry, Bower, Boyd, Bunting, Bynum, Caldwell, Clark, Cunningham, Drake, Hargrave, Herring, Hoke, Kerr, McDowell, McMillan, Mitchell, Murchison, Person, Speight, Thomas, Watson and Withers—23.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Cowper, Gilmer, T. F. Jones, Kelly, Lillington, McClees, Murray, Palmer, Richardson, Thompson, Washington and Willey—15.

On motion of Mr McDowell, the Senate adjourned.

MONDAY, Dec. 13th, 1852.

The Speaker announced that Messrs, Barrow, Berry and Arendell, constitute the Senate's branch of the Committee on enrolled bills for the present week.

Mr. Clark, from the Committee on Corporations, reported the bill to incorporate the Manteo Mining company, with an amendment, and recommended its passage.

Ordered to lie on the table.

Mr. Drake, from the Committee on Claims, reported unfavorably the memorial of Latham Waters, &c., and asked, to be discharged from its further consideration.

Discharged accordingly.

Mr. Clark, from the Committee on Corporations, reported with amendments, the bill to incorporate Neuse River, and Snow Hill Plank Road company, and recommended its passage.

Ordered to lie on the table.

Mr. Joyner, from the Committee on Internal Improvements, to whom was referred certain resolutions, in relation to the Charter of the Dan and Roanoke River Navigation company, submitted a report thereon, which was read and, on motion of Mr. Lane,

Ordered to lie on the table.

Mr. Thompson, from the Committee on Finance, to whom was referred the bill to repeal the 9th section of the 42nd

chapter of the Revised Statutes, entitled entries and grants, reported the same, without amendment, and recommended its passage.

Ordered to lie on the table.

Mr. Caldwell offered the following resolution, viz :

Resolved, That a message be sent to the House of Commons proposing to rescind the joint order to adjourn on the 15th inst.

Mr. Cunningham moved to amend the resolution, by adding the following words, viz : *and to make the same on the 22d day of December.*

The question on which said amendment was decided in the affirmative, ayes 26, noes 22.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Clark, Cunningham, Drake, Hargrave, Herring, Joyner, Kerr, McDowell, Mitchell, Murchison, Murray, Person, Richardson, Shaw, Speight, Steele, Ward, Watson and Withers—26.

Those who voted in the negative, are :

Messrs. Albright, Arendell, Bynum, Caldwell, Cannady, Cowper, Gilmer, Hoke, T. F. Jones, W. Jones, Kelly, Lane, Lillington, McClees, McMillan, Palmer, Parks, Thomas, Thompson, Washington, Willey and Woodfin.—22.

So the amendment was agreed to.

But before any question was taken on the adoption of the resolution as amended, the further consideration of the same was suspended,

To receive a message from the House of Commons, stating that their committee on enrolled bills for the present week consists of Messrs. Dobson, Perkins, W. H. Sanders, Lockhart and Furr ;

And that Messrs. Johnson and Fonville form their branch of the committee to superintend the election for a superintendent of Common Schools.

The hour agreed upon for going into an election of superintendent of Common Schools having arrived,

Mr. Thompson nominated C. H. Wiley.

Mr. Kerr nominated Thos. H. Williams, and, on motion of Mr. Shaw, the name of A. S. Mooring was added to the nominations.

And a message was sent to the House of Commons, informing of said nominations, and that Messrs. Lane and Ward form the Senate's branch of the committee to superintend the election.

The Senate then voted as follows :

FOR MR. WILEY.

✓ Messrs. Speaker, Albright, Bynum, Cannady, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thomas, Thompson, Washington, Willey and Woodfin.—24.

FOR MR. WILLIAMS.

✓ Messrs. Barrow, Berry, Bower, Boyd, Herring, Kerr, McDowell, McMillan, Murchison and Speight—10.

FOR MR. MOORING.

Messrs. Brogden, Bunting, Drake, Hargrave, Hoke, W. Jones, Person, Shaw, Ward, Watson and Withers.—11.

The Senate now resumed the consideration of Mr. Caldwell's resolution.

The question on the adoption of which was decided in the affirmative—ayes 25, noes 15.

Mr. Richardson demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Joyner, Kerr, McDowell, Mitchell, Murchison, Murray, Palmer, Richardson, Shaw, Speight, Steele, Watson, and Withers—25.

Those who voted in the negative, are :

Messrs. Albright, Arendell, Bynum, Caldwell, Cannady, Cowper, Gilmer, T. F. Jones, Kelly, Lillington, McClees, Thompson, Washington, Willey and Woodfin—15.

So the resolution was adopted.

Received a message from the House of Commons, proposing to go into an election for Public Treasurer, this day at one o'clock; which proposition was agreed to,

And the House of Commons informed, that Messrs. Boyd and Albritton form the Senate's branch of the committee to superintend the election.

Also, a message from the House of Commons, proposing that the two Houses go into an election for United States Senator this day at 12 o'clock.

Mr. Caldwell moved that the message [be laid on the table; which motion was carried—ayes 25, noes 22.

Mr. Lillington demanded the yeas and noes.

Those who voted in the affirmative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Ward, and Withers—25.

Those who voted in the negative are,

Messrs. Albright, Albritton, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson, Washington, Watson, Willey, and Woodfin—22.

Received a message from the House of Commons, stating that they adhere to their amendments to the engrossed bill to repeal an act passed at the Session of 1850-51, entitled an act to establish a new County by the name of Jackson.

Mr. Joyner moved that the Senate adhere to its disagreement to the amendments.

Mr. Bynum moved that the same be laid on the table, which motion prevailed.

Received a message from the House of Commons, agreeing to the proposition of the Senate to rescind the joint order of the two Houses, by which they agreed to adjourn *sine die* on the 15th inst.

Also, agreeing to the proposition of the Senate, that the two Houses fix on the 22d inst. for an adjournment *sine die*.

Also, a message transmitting a statement of the Commercial Bank of Wilmington, with a proposition to print the same.

Concurred in.

Also, a message stating that the House of Commons have passed the following engrossed bill, in which they ask the concurred of the Senate, viz .

“A bill to incorporate the Ladies' Benevolent Society, in the town of Wilmington;” which was read the first time and passed, and on motion of Mr. Kerr, the rules were suspended, and the bill read the second and third times, passed and ordered to be engrossed.

Mr. Bynum introduced a bill to lay off and establish a public road from Lincolnton to Greenville, South Carolina; which was read the first time and passed.

Mr. Albritton, a bill to empower Benjamin M. Selby Sr. to collect arrears of taxes; which was read the first time and passed and on motion referred to the Committee on Propositions and Grievances.

Mr. Lane, from the Committee appointed to superintend the election for a superintendent of Common Schools, reported that C. H. Wiley having received a majority of the whole number of votes given, is duly elected.

Concurred in.

On motion of Mr. Clark, the orders of the day were postponed for one hour.

Mr. Clark introduced a resolution directing the mode of printing the acts of the General Assembly; which was read the first time and passed, and on motion referred to the Committee on the Judiciary.

Mr. Clark introduced a bill defining the duties and powers of Turnpike and Plank Road companies, which was read the first time and passed.

Mr. Murchison introduced a bill to incorporate the Harrison Creek Division of the Sons of Temperance, in the county of Cumberland; which was read the first time and passed, and, on motion of Mr. Clark, ordered to be laid on the table.

Mr. Bower introduced a bill to authorize Ambrose Coldron and others to establish a toll bridge, over New River, in the county of Ashe; which was read the first time and passed.

Mr. Clark introduced a bill to incorporate the Tarboro' and Enfield Plank Road company, which was read the first time and passed, and on motion, referred to the Committee on Corporations.

Also, a bill to incorporate the Tarborough and Joyner's Depot Plank Road company, which was read the first time, and passed, and on motion, referred to the Committee on Corporations.

Mr. Kelly, a bill to incorporate the town of Troy in the county of Montgomery, and appoint Commissioners of the same, which was read the first time and passed.

The Senate now proceeded to the consideration of the unfinished business of yesterday viz :

The engrossed bill to incorporate the Atlantic and North Carolina Railroad company,

The pending question being on the amendment of Mr. Hoke,

But before any vote was taken thereon, the further consideration of the same was suspended, to receive

A message from the House of Commons, stating that the hour of one o'clock having arrived, that body would proceed, on the return of the messenger, to vote for Public Treasurer, and that Messrs. Avery and Thornburg form their branch of the committee to superintend said election; and also, announcing that Messrs. D. W. Courts and R. G. A. Love are in nomination.

The Senate, under the superintendence of Messrs. Boyd and Arendell, then voted as follows:

FOR MR. COURTS.

Messrs. Speaker, Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, Mitchell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Ward Watson and Withers--29.

FOR MR. LOVE.

Messrs. Albright, Bynum, Cowper, Gilmer, Kelly, Lane, McClees, Murray, Palmer, Richardson, Thorapson, Washington, Willey and Woodfin--14.

Received a message from the House of Commons, proposing that the two Houses go into an election for a Solicitor of the 7th Judicial Circuit, to-morrow at half-past 12 o'clock.

Which message, on motion of Mr. Thomas, was ordered to be laid on the table.

Also, a message proposing that the two Houses go into an election for four Trustees of the University, to-morrow at 12 o'clock.

On motion of Mr. Washington, said message was ordered to be laid on the table.

Also, a message proposing to go into an election to-morrow, at 11 o'clock, for a Judge of the Superior Court; which said message, on motion of Mr. Caldwell, was ordered to be laid on the table.

Mr. Boyd, from the committee appointed to superintend the election for Public Treasurer, reported that D. W. Courts received 81 votes, Mr. Love 56 votes, J. R. Dodge 1 vote, and C. L. Hinton 3 votes; that Mr. Courts having received a majority of the whole number of votes given, is duly elected.

Report concurred in.

The Senate now resumed the consideration of the amendment offered by Mr. Hoke to the bill to incorporate the Atlantic and North Carolina Railroad Company.

Pending the consideration of which, the Senate took a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK.

The Senate resumed the consideration of the unfinished business of the morning, viz :

The amendment of Mr. Hoke to the bill to incorporate the Atlantic and North Carolina Railroad Company.

Mr. Lillington moved to amend the amendment, by inserting in the 5th line of the first section the words, "at or near the town of Salisbury."

Which amendment to the amendment was agreed to—
ayes 23, noes 18.

Mr. Lillington demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Arendell, Cannady, Clark, Cowper
Drake, Gilmer, Hargrave, Herring, T. F. Jones, W. Jones, Joyner,
Kerr, Lane, Lillington, McClees, McMillan, Murray, Palmer, Parks,
Richardson, Speight, Steele, Thomas, Thompson, Washington and Wat-
son—23.

Those who voted in the negative, are :

Messrs. Barrow, Berry, Bower, Brogden, Bunting, Bynum, Caldwell,
Cunningham, Hoke, Kelly, McDowell, Mitchell, Murchison, Person,
Shaw, Withers, Willey and Woodfin—18.

Mr. Woodfin moved to lay the bill and amendment on
the table. Not agreed to.

Mr. Bynum moved that the same be indefinitely post-
poned, which motion was determined in the negative—ayes
21, noes 26.

Mr. Bynum demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Bunting, Bynum,
Caldwell, Cannady, Clark, Cunningham, Drake, Hargrave, Hoke, W
Jones, Joyner, McDowell, Person, Shaw, Watson and Withers—21.

Those who voted in the negative, are:

Messrs. Albright, Arendell, Brogden, Cowper, Gilmer, Herring, T,
F. Jones, Kelly, Kerr, Lane, Lillington, McClees, McMillan, Mitchell,
Murchison, Murray, Palmer, Parks, Richardson, Speight, Steele,
Thomas, Thompson, Washington, Willey and Woodfin—26.

So the Senate refused to postpone indefinitely.

Pending the consideration of Mr. Hoke's amendment, on motion of Mr. Washington, the Senate adjourned.

TUESDAY, Dec. 14th, 1852.

Mr. Clark, from the Committee on Corporation, reported back the bill to incorporate the town of Winston, and recommended its passage.

Ordered to lie on the table.

Also, the bill to incorporate the Uharie and Yadkin Plank Road company, and recommended its passage.

Ordered to lie on the table.

Also, the bill to incorporate the 'Tarboro' and Enfield Plank Road company, with amendments, and recommended its passage.

Ordered to lie on the table.

Also, the bill to incorporate the Neuse River and Snow Hill Plank Road company, with amendments, and recommended its passage.

Ordered to lie on the table.

Mr. Drake, from the Committee on Claims, reported unfavorably the memorial of Wm. Davidson, of Mecklenburg county, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Watson, from the Committee on Propositions and Grievances, reported back the bill to attach a part of the county of Yadkin to Forsyth county, and recommended its passage.

Ordered to lie on the table.

Also, the bill to amend the charter of the Neuse River Navigation company, with amendments, and recommended its passage.

Ordered to lie on the table.

On motion of Mr. Cowper,

Resolved, That a message be sent to the House of Commons, proposing to go into an election of Solicitor, for the 1st Judicial Circuit to-morrow at 12 o'clock.

Mr. T. F. Jones moved to take up the bill to amend an act, and supplement thereto, entitled an act to improve the Cape Fear and Deep Rivers, above Fayetteville; upon which question Mr. Bynum demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Albright, Arendell, Albritton, Brogden, Cannady, Cowper, Cunningham, Gilmer, Hargrave, Hoke, T. F. Jones, Joyner, Keliy, Kerr, Lane, Lillington, McClees, McDowell, Mitchell, Murray, Palmer, Richardson, Steele, Thompson, and Willey.--25.

Those who voted in the negative are:

Messrs. Barrow, Berry, Bower, Boyd, Bunting, Bynum, Caldwell, Clark, Drake, Herring, W. Jones, Person, Shaw, Speight, Ward, Watson, and Withers--17.

The bill was then taken up and read the second time.

Mr. Person moved to amend the same, by adding an additional section, appropriating \$25,000 for the improvement of the Roanoke, between the towns of Weldon and Plymouth.

Which was rejected.

The question on the passage of the bill its second reading was determined in the affirmative--ayes 27, noes 18.

Mr. Person demanded the ayes and noes.

Those who voted in the affirmative, are :

Messrs. Albright, Arendell, Bunting, Cannady, Cunningham, Gilmer, Hargrave, Herring, Hoke, T. F. Jones, Joyner, Kelly, Kerr, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Palmer, Parks, Richardson, Speight, Steele, Thompson, and Wood. fin--27.

Those who voted in the negative, are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bynum, Caldwell, Clark, Cowper, Drake, W. Jones, Person, Shaw, Ward, Watson, Withers and Willey--18.

The bill to appoint Commissioners to locate the town of Marshall was read the third time, passed and ordered to be engrossed.

On motion of Mr. Gilmer, ordered that a message be sent to the House of Commons, proposing to go into an election of three Trustees of the University, this day at 12 o'clock.

The bill to provide for the improvement of Reddie's River was read the third time, passed and ordered to be engrossed.

Received a message from the House of Commons, proposing that the two Houses go into an election for United States Senator, to-morrow at 11 o'clock.

Which, on motion of Mr. Caldwell, was postponed until to-morrow morning, 11 o'clock—ayes 24, noes 20.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting Caldwell, Cannady, Clark, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Person, Shaw, Speight, Thomas, Watson and Withers.—24.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Steele, Thompson, Washington, Willey and Woodfin—20.

Received, a message from the House of Commons, proposing that the two Houses go into an election for Judge of the Superior Courts of Law, to-morrow at one o'clock, P. M.

Which, on motion of Mr. Caldwell, was ordered to be laid on the table—ayes 25, noes 19.

The yeas and nays being demanded.

Those who voted in the affirmative are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, Mitchell, Person, Shaw, Speight, Thomas, Ward, Watson and Withers—25.

Those who voted in the negative are :

Messrs. Albright, Albritton, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Murray, Palmer, Parks, Steele, Thompson, Washington, Willey and Woodfin—19.

Received, also, a message proposing that the two Houses go into an election for Solicitor of the 7th Judicial Circuit, at half after 11 o'clock; which, on motion of Mr. Woodfin, was ordered to be laid on the table.

Received a message from the House of Commons, concurring in the proposition of the Senate, that the two Houses vote for three Trustees of the University, this day at 12 o'clock, and announcing that Messrs. J. Turner and Ellis form their branch of the committee to superintend said election.

Also, a message concurring in the proposition of the Senate to vote for Solicitor of the first Judicial Circuit, tomorrow at 12 o'clock, and informing that Messrs. Brooks and Jarvis constitute the Committee on the part of the House of Commons to superintend said election.

The Resolution to provide for furnishing the Courts and public officers with copies of Iredell's Digested Manual of the Public Laws, passed since 1836, was now taken up and read the second time and passed.

The engrossed bill to do away with collateral warranties was read the second time, the amendments recommended by the committee agreed to, and said bill passed its second reading.

The bill concerning the militia of North Carolina was read the second time, and, after debate, its further consideration suspended.

And the hour agreed upon for going into an election for three Trustees of the University having now arrived,

A message was sent to the House of Commons informing that Messrs. John G. Bynum, James F. Taylor, Walter L. Steele, Henry T. Clark, Samuel P. Hill, W. T. Dortch and R. H. Smith, are in nomination, and that Messrs. Cunningham and Murray form the Senate's branch of the committee to superintend said election.

The Senate then voted as follows :

FOR MR. BYNUM.

Messrs. Albritton, Berry, Bower, Brogden, Bunting, Caldwell, Cannady, Cowper, Gilmer, Hargrave, Hoke, W. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Person, Shaw, Speight, Thomas and Woodfin—26.

FOR MR. TAYLOR.

Messrs. Albright, Cowper, Cunningham, T. F. Jones, Joyner, Kelly, McDowell, Palmer, Thomas, Thompson and Willey—11.

FOR MR. STEELE.

Messrs. Albright, Albritton, Brogden, Clark, Cowper, Gilmer, Kelly, Kerr, Lane, Lillington, McClees, McDowell, Mitchell, Murray, Richardson, Palmer, Parks, Thompson, Washington, Willey and Woodfin—21.

FOR MR. HILL.

Messrs. Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Cannady, Clark, Cunningham, Herring, Hoke, W. Jones, McDowell, McMillan, Person, Shaw, Ward, Washington and Withers—19.

FOR MR. DORTCH.

Messrs. Speaker, Barrow, Bower, Boyd, Brogden, Bunting, Clark, Cunningham, Drake, Herring, McMillan, Shaw, Speight, Ward, Washington and Watson—16.

FOR MR. SMITH.

Messrs. Speaker, Albright, Albritton, T. F. Jones, Joyner, Thompson and Willey—7.

FOR MR. CLARK.

Messrs. Speaker, Barrow, Berry, Boyd, Caldwell, Cannady, Drake, Gilmer, Hargrave, Herring, T. F. Jones, W. Jones, Kerr, Lane, Lillington, McClees, McMillan, Mitchell, Murray, Person, Parks, Speight, Thomas, Ward, Washington, Watson, Withers and Woodfin.—28

Messrs. Drake, Hargrave Hoke, Kerr and Withers, voted for Thomas J. Person—5.

The Senate now proceeded to the consideration of the unfinished business of yesterday, viz.

The engrossed bill to incorporate the Atlantic and North Carolina Railroad Company—

The pending question being on the amendment of Mr. Hoke, and the vote being taken thereon, the same was rejected—ayes 8, noes 36.

Those who voted in the affirmative, are :

Messrs. Bynum, Caldwell, Gilmer, Hoke, Mitchell, Palmer, Parks and Thomas—8.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Cannady, Clark, Cowper, Cunningham, Drake, Hargrave, Herring, T. F. Jones, W. Jones, Joyner, Kelly, Kerr, Lillington, McClees, McDowell, McMillan, Murray, Person, Richardson, Shaw, Speight, Steele, Thompson, Washington, Watson, Withers, and Willey—36.

So the amendment was rejected.

Mr. T. F. Jones now moved to amend the 34th section of the bill, by striking out of the 11th line, the words, “\$500,000,” and inserting \$237,500.

After some time spent in debate, the further consideration of said amendment was temporarily suspended.

Whereupon, Mr. Cunningham, from the committee appointed to superintend the election of three Trustees of the University, reported that no person in nomination having received a majority of the whole number of votes given, there is no election.

Report was concurred in.

The Senate again resumed the consideration of Mr. Jone's amendment to the bill to incorporate the Atlantic and North Carolina Railroad Company.

Pending the consideration of which, the Senate took a recess until half-past 3 o'clock, P. M.

HALF-PAST 3 O'CLOCK.

The Senate now resumed the consideration of the unfinished business of the morning, viz :

The engrossed bill to incorporate the Atlantic and North Carolina Railroad Company.

The pending question being on the amendment of Mr. Jones.

After some time spent in debate,

On motion of Mr. Drake, the Senate adjourned.

WEDNESDAY, Dec. 15th, 1852.

Received a message from the House of Commons, transmitting a communication from the Governor, with a proposition to print the same.

Agreed to.

The resignations of sundry Justices of the Peace were received from the House of Commons, read and accepted.

On motion of Mr. Joyner,

Resolved, That all the prior orders be postponed on tomorrow at 12 o'clock, at which hour the Senate will take up for consideration the bill to lay off the State into Congressional Districts.

Mr. McDowell offered the following resolution, viz :

Resolved, That the Senate will take a recess from half-past 5 to half-past 7 o'clock, P. M. from and after tomorrow.

Mr. Kelly moved to lay the resolution on the table. Not agreed to.

The resolution was then adopted.

On motion of Mr. Shaw,

Resolved, That a message be sent to the House of Commons, proposing to go into the election for Solicitor for the 7th Judicial Circuit, this day at 1 o'clock.

On motion of Mr. Drake, the Senate now took up the bill to refund to the Treasury certain monies and for other purposes; which was read the second time and passed, and, on motion of Mr. Bower, the rules were suspended, and the bill read the third time, amended on motion of Mr. Hoke, passed and ordered to be engrossed.

On motion of Mr. Cunningham,

Ordered, That a message be sent to the House of Commons, proposing to go into an election for three Trustees of the University, to day at a quarter before 11 o'clock.

A message was sent to the House of Commons, informing that the Senate have passed the following engrossed bills in which they ask the concurrence of that body, viz:

A bill to incorporate the Swift Creek Plank Road Company:

A bill to regulate Appeals to the Supreme Court in the 6th Judicial Circuit:

A bill to emancipate James Hostler: and

A bill supplemental to an act passed at the session of the last General Assembly, entitled "an act to alter the line between the counties of Buncombe and Henderson."

Received a message from the House of Commons, stating that they have laid on the table the proposition of the Senate to vote for three Trustees of the University, this day at quarter after 11 o'clock.

Also, a message stating that they refuse to agree to the proposition of the Senate to vote for Solicitor of the 7th Judicial Circuit to day at 1 o'clock.

Mr. Watson moved to take up the engrossed bill to confirm a grant heretofore issued to B. H. Stanmire; which was agreed to.

The bill was then read the second time.

Pending the consideration of which,

The hour agreed upon for going into the election for Solicitor of the first Judicial Circuit, having arrived, a message was sent to the House of Commons, informing that Messrs Shaw and Cowper form the Senate's branch of the committee to superintend said election, and that Lucius J. Johnson and W. N. H. Smith are in nomination for the appointment.

The Senate then voted as follows:

FOR MR. JOHNSON.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Person, Shaw, Thomas, Watson and Withers—24.

FOR MR. SMITH.

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, T F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Speight, Steele, Thompson, Ward, Washington, Brogden Willey and Woodfin.—24.

Mr. Cunningham moved that a message be sent to the House of Commons, proposing that the two Houses go into an election of United States Senator, at a quarter before one o'clock.

Which was agreed to.

On motion of Mr. Cunningham,

Ordered, That a message be sent to the House of Commons, proposing to go into an election for Attorney General, to-morrow at one o'clock.

Mr. Cowper, from the committee appointed to superintend the election for Solicitor of the first Judicial Circuit, reported that W. N. H. Smith having received a majority of the whole number of votes given, is duly elected.

Concurred in.

The Speaker announced the unfinished business of yesterday, viz:

“The bill to incorporate the Atlantic and North Carolina Railroad company.”

The pending question being on the amendment of Mr. Jones, Mr. Bynum called for a division of the question, and the vote being first taken on striking out, was determined in the affirmative, unanimously.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Arendell, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Bynum, Caldwell, Cannady, Clark, Collins, Cowper, Cunningham, Drake, Gilmer, Hargrave, Herring, Hoke, T. F. Jones, W. Jones, Joyner, Kelly, Kerr, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Palmer, Parks, Person, Shaw, Steele, Thompson, Washington, Watson, Withers, Willey and Woodfin—44.

Negative—None.

The question, on inserting the sum of \$237,500, was now taken, and decided in the affirmative—Ayes 24, noes 23.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Arendell, Brogden, Cowper, Gilmer, Herring, T. F. Jones, Kelly, Kerr, Lane, Lillington, McClees, McMillan, Mitchell, Murray, Palmer, Richardson, Speight, Steele, Thomas, Thompson, Washington and Woodfin—24.

Those who voted in the negative, are :

Messrs. Barrow, Berry, Bower, Boyd, Bunting, Bynum, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Hoke, W. Jones, Joyner, McDowell, Parks, Person, Shaw, Watson, Withers and Willey—23.

Mr. T. F. Jones moved further to amend the bill, by adding the following words after the word *Company*, in the 12th line: "and after the remaining \$150,000 shall have been paid into the treasury of said company, either in cash or labor performed on said road, and accepted by said company, then the Board of Internal Improvements shall subscribe, on behalf of the State, for the said company, another \$237,500;" which said amendment was rejected.

The question now recurred on the passage of the bill, its second reading, and was determined in the negative—Ayes 22, noes 25.

Those who voted in the affirmative, are :

Messrs. Albright, Arendell, Brogden, Cowper, Gilmer, Herring, T. F. Jones, Kelly, Kerr, Lane, Littington, McMillan, Mitchell, Murray, Palmer, Richardson, Speight, Steele, Thomas, Thompson, Washington, and Woodfin—22.

Those who voted in the negative, are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Bunting, Bynum, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Hoke, W. Jones, Joyner, McClees, McDowell, Parks, Person, Shaw, Watson, Withers and Willey—25.

The Senate now proceeded to the consideration of the bill concerning the Militia.

The bill was read the second time, and, on motion of Mr. McDowell, indefinitely postponed—Ayes 25, noes 22.

Mr. Cannady demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Arendell, Barrow, Bower, Bunting, Cannady, Collins, Cunningham, Gilmer, Hargrave, Herring, T. F. Jones, Lane, Lillington, McDowell, McMillan, Parks, Shaw, Speight, Steele, Thompson, Watson, Washington, Willey and Woodfin--25.

Those who voted in the negative, are :

Messrs. Albritton, Berry, Boyd, Brogden, Bynum, Caldwell, Clark, Cowper, Drake, Hoke, W. Jones, Joyner, Kelly, Kerr, McClees, Mitchell, Murray, Palmer, Person, Richardson, Ward and Withers--22.

The Senate now resumed the consideration of the bill to confirm a grant heretofore issued to B. H. Stanmire, which passed its second reading.

Mr. Brogden moved a suspension of the rules, in order that the bill might be read the third time ; which motion was disagreed to—Ayes 21, noes 23.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Barrow, Brogden, Bynum, Cowper, Herring, Kelly, Lane, McClees, Mitchell, Murray, Palmer, Parks, Person, Richardson, Steele, Thompson, Ward, Watson and Willey--21.

Those who voted in the negative, are:

Messrs. Berry, Bower, Boyd, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Hoke, W. Jones, Joyner, Kerr, Lillington, McDowell, McMillan, Shaw, Speight, Thomas, Withers and Woodfin--23.

Received a message from the House of Commons, proposing that the two Houses go into an election for United States Senator, to-morrow at 12 o'clock ; which was concurred in, and the House of Commons informed that Messrs. Bunting and Lillington constitute the Senate's branch of the committee to superintend said election.

Also, a message proposing that the two Houses go into an election for four Trustees of the University this day at half-past one o'clock, and announcing that Samuel F. Phillips, Thomas J. Person, M. T. Hawkins and M. F. Arendell are in nomination; which proposition was concurred in, and the House of Commons informed that Messrs. Hoke and Murray form the Senate's branch of the committee, to superintend said election.

On motion of Mr. Mitchell,

The bill to attach a portion of the county of Wilkes to the county of Alexander was now taken up, read the third time, passed and ordered to be engrossed.

On motion of Mr. Kelly, the Senate proceeded to consider the bill to amend the 1st section of the 64th chapter of the Revised Statutes, which was read the second time, amended and passed. Under a suspension of the rules, said bill was read the third time and passed, and a message sent to the House of Commons asking their concurrence in the amendments of the Senate.

The bill to amend an act, entitled an act, concerning the Supreme Courts, Revised Statutes, chapter 33, &c. was read the second time, and, on motion of Mr. Woodfin, ordered to be postponed until half-past 3 o'clock.

The bill for the better administration of justice in the Courts of Pleas and Quarter Sessions, was now taken up and on motion of Mr. Washington ordered to be laid on the table.

The bill to establish the County of Ruffin, was read the second time.

But pending debate, its further consideration was suspended,

To receive a message from the House of Commons, stating that the hour of half-past one having arrived, the House of Commons would proceed to vote for four Trustees of the University, according to the joint order, and that Messrs. Waugh and Adams constitute the committee on their part to superintend said election.

The Senate then voted as follows :

FOR MR. CLARK.

Messrs. Arendell, Albritton, Barrow, Bower, Boyd, Brogden, Caldwell, Cannady, Collins, Cowper, Drake, Gilmer, Hargrave, Herring, Hoke, W. Jones, Kelly, Kerr, Lane, McClees, McMillan, Mitchell, Murray, Palmer, Person, Richardson, Speight, Thomas, Ward, Watson, Woodfin and Withers—32.

FOR MR. HILL.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Cannady, Collins, Cunningham, Drake, Hoke, W. Jones, McDowell, Person, Shaw, Ward, Watson and Withers—19.

FOR MR. DORTCH.

Messrs. Speaker, Albright, Barrow, Berry, Boyd, Brogden, Bunting, Cunningham, Drake, Hargrave, Herring, Kerr, Lillington, McDowell, McMillan, Murray, Person, Shaw, Speight, Ward, Washington, and Woodfin.—22.

FOR MR. BYNUM.

Messrs. Speaker, Albright, Barrow, Bower, Bunting, Caldwell, Cannady, Cunningham, Cowper, Joyner, Kelly, Lane, Lillington, McClees, McDowell, Mitchell, Murray, Palmer, Parks, Person, Shaw, Watson, Gilmer, Hargrave, Hoke, W. Jones, and Woodfin—27.

FOR MR. STEELE.

Messrs. Speaker, Arendell, Albright, Albritton, Boyd, Brogden, Canady, Collins, Cunningham, Cowper Gilmer, Herring, T. F. Jones, Joyner, Kelly, Kerr, Lane, Lillington, McDowell, McMillan, Muchell, Murray Palmer, Parks, Richardson, Shaw, Speight, Thompson, Ward, Washington, Watson, Withers, Willey, and Woodfin—34.

FOR MR. TAYLOR.

Messrs. Albright, Brogden, T. F. Jones, Joyner, Kelly, Palmer, Richardson, Thomas, Thompson, Washington and Arendell—11.

FOR MR. PERSON.

Messrs. Berry, Bower, Bunting, Caldwell, Collins, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, Lane, McClees, Mitchell, Parks, Speight and Withers—17.

FOR MR. SMITH.

Messrs. Albritton, Cowper, T. F. Jones, Joyner, Lillington, Thompson and Willey—7.

FOR MR. ARENDELL.

Messrs. Albritton, Gilmer, McClees, cMillan, Parks, Richardson, Washington, and Willey—8.

FOR MR. CHERRY.

Messrs. T. F. Jones, Thompson and Willey—3.

Mr. Berry voted for Mr. Phillips.

Mr. Thomas voted for Mr. Siler.

Mr. Arendell voted for Mr. Stubbs.

Mr. Thomas voted for Mr. Willey.

Received a message from the House of Commons, proposing that the two Houses go forthwith, into an election, for Solicitor of the 7th Judicial Circuit ; which, on motion of Mr. Caldwell, was ordered to be laid on the table.

Received a message from the House of Commons, concurring in the proposition of the Senate, that the two Houses go into an election for Attorney General to-morrow at one o'clock, and informing that Messrs. Williams and Christ-mas compose their branch of the committee to superintend said election.

The Senate now took a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK.

Received from the House of Commons, sundry recommendations of Justices of the Peace ; which were read and accepted.

The recommendations of several Justices of the Peace were read and accepted, and sent to the House of Commons.

The Speaker announced the special order, viz :

The bill to amend an act, entitled an act concerning the Supreme Court, Revised Statutes, chapter 33, &c; which, on motion of Mr. Clark, was ordered to be laid on the table.

The resolution to provide for the furnishing the Courts and Public Offices with Iredell's Digested Manual of the public laws, passed since 1836, was read the second time and rejected.

The engrossed bill to do away with collateral warrantes, was read the third time and passed as amended, and a message sent to the House of Commons, asking their concurrence in the Senate's amendments.

The Senate now proceeded to consider the unfinished business of the morning, viz :

The bill to establish the county of Ruffin.

The question on the passage of the bill its second reading, was determined in the negative.

Mr. Hoke, from the committee appointed to superintend the election of four Trustees of the University, reported that W. L. Steele, having received a majority of the whole number of votes given, is duly elected, and that no other person had received a majority.

Report concurred in.

The engrossed bill to amend an act, (and the supplement thereto,) entitled an act to improve the Cape Fear and Deep Rivers above Fayetteville, was read the third time.

Mr. Woodfin moved that the bill be laid on the table ; which motion was disagreed to.

Mr. Bynum moved that its further consideration be postponed until half-past three o'clock to morrow ; which motion did not prevail.

Mr. Caldwell moved an adjournment ; which was disagreed to.

Pending debate,

On motion of Mr. Gilmer, the Senate adjourned.

THURSDAY, December 16, 1852.

Mr. Watson, from the Committee on Propositions and Grievances, reported back the bill to empower B. M. Selby to collect arrears of taxes, and recommended that it do not pass.

Ordered to lie on the table.

Received a message from the House of Commons, proposing that the two Houses go into an election for three Trustees of the University, this day at one o'clock ; which, on motion of Mr. Clark, was ordered to be laid on the table.

Mr. Gilmer presented the memorial of sundry citizens of Rockingham and Forsyth counties, in relation to the improvement of Dan River ; which, on motion, was referred to the Committee on Internal Improvements.

Mr. Watson, from the Committee on Propositions and Grievances, reported unfavorably the resolution in favor of Marvel Kirk.

Ordered to lie on the table.

Mr. Watson, from the same committee, reported back the bill to authorize James W. Lowe to collect arrears of taxes, and recommended its rejection.

Ordered to lie on the table.

Mr. Watson, from the same committee, reported back the bill to amend an act, entitled an act concerning Courts of Justice, Practice, Pleas and Process, and recommended its passage.

Ordered to lie on the table.

Mr. Clark, from the Committee on Corporations, reported back the bill, to incorporate the Greensboro' and Deep River Plank Road company, with amendments.

Ordered to lie on the table.

Also, the bill to incorporate the North Carolina Mining company, with amendments.

Ordered to lie on the table.

On motion of Mr. Joyner,

Resolved, That, from and after this day, the business of the Senate shall be taken for consideration, in the following order, viz: All public bills, except those relating to plank roads, at the morning session, shall, after the usual morning business is over, be taken up in the order in which they stand on the calendar. At the session in the afternoon, public and private bills shall be considered in the order in which they stand on the calendar. And at the night session, none but private bills shall be considered, and they in the order in which they stand on the calendar.

Mr. Clark offered the following resolution :

Resolved, That from and after to-day, no member shall speak longer than fifteen minutes on any one question.

Mr. Joyner moved to amend the same, by inserting from and after to-morrow.

Disagreed to.

The resolution was then adopted.

Mr. Speight introduced a bill to authorize and empower Drury A. Sugg to collect arrears of taxes ; which was read the first time and passed.

The Senate now proceeded to the consideration of the unfinished business of yesterday, viz :

The engrossed bill to amend an act (and the supplement thereto,) entitled an act to improve the Cape Fear and Deep Rivers above Fayetteville.

The question being on the passage of the bill its third reading, was determined in the affirmative—ayes 27, noes 18.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Arendell, Bunting, Cannady, Cunningham, Gilmer, Hargrave, Herring, Hoke, T. F. Jones, Joyner, Kelly, Kerr, Lane, Lillington, McLees, McDowell, McMillan, Mitchell, Murray, Palmer, Parks, Richardson, Speight, Steele, Thompson and Washington—27.

Those who voted in the negative, are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bynum, Caldwell, Clark, Collins, Drake, W. Jones, Person, Shaw, Ward, Watson, Willey and Woodfin—18.

Ordered, that said bill be engrossed.

On motion of Mr. Cannady, the bill to consolidate and amend the several acts heretofore passed for the Government of the town of Oxford, was now taken up, read the second time, and amended on motion of Mr. Cannady.

Mr. Lillington moved that the bill be laid on the table, which was not agreed to; the bill then passed its second reading.

Received a message from the House of Commons, stating that the hour of 12 o'clock having arrived, the House of Commons would vote for a Senator of the United States, according to the joint order, and that Messrs. Turner and Lyon constitute the committee on their part to superintend said election.

The Senate then voted as follows:

FOR MR. DOBBIN.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Person, Shaw, Speight, Thomas, Ward and Withers—26.

FOR MR. RAYNER.

Messrs. Albright, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McDowell, Murray, Palmer, Parks, Steele, Thompson, Washington, Willey, Woodfin and Mitchell.—20.

Mr. Albritton voted for R. S. Donnell, and Mr. Watson for Mr. Shepard.

The Senate now proceeded to consider the special order, viz :

The bill to lay off eight Congressional Districts within the State, and to designate the counties composing the same; and the same being read,

Mr. Berry moved to amend the bill by striking out all after the enacting clause and inserting the following substitute therefor, viz:

"That the act entitled an act, to repeal an act, concerning the mode of choosing Senators and Representatives in Congress of the United States, ratified 2d day of January, 1847, chapter 11, be and the same is hereby repealed.

Be it further enacted, That the second section of the act of 1847, chapter 21, be and the same is hereby altered and amended for the purpose of electing Representatives to the Congress of the United States, so as to divide the State into eight, instead of nine districts; and the said eight districts shall be composed of the following counties, to wit:

The first or the Buncombe district, shall be composed of the counties of Cherokee, Macon, Jackson, Haywood, Madison, Yancy, Watauga, Henderson, Buncombe, Rutherford, Cleaveland, McDowell, Burke and Caldwell.

The second or the Lincoln district, shall be composed of the counties of Ashe, Surry, Yadkin, Wilkes, Alexander, Iredell, Catawba, Lincoln, Gaston, Meeklenburg and Union.

The third or Caswell district, shall be composed of the counties of Stokes, Forsyth, Rockingham, Guilford, Caswell, Person, Orange and Alamance.

That the fourth or the Rowan district, shall be composed of the counties of Davie, Rowan, Davidson, Cabarrus,

Stanly, Anson, Montgomery, Randolph, Moore and Richmond.

The fifth or the Cumberland district, shall be composed of the counties of Bladen, Duplin, Columbus, Robeson, Brunswick, New Hanover, Sampson, Onslow and Cumberland.

The sixth or the Wake district, shall be composed of the counties of Granville, Warren, Franklin, Nash, Wake, Chatham and Johnson.

The seventh or Craven district, shall be composed of the counties of Carteret, Jones, Lenoir, Wayne, Green, Pitt, Craven, Beaufort, Hyde, Tyrrell, Martin and Washington.

The eighth or Edenton district, shall be composed of the counties of Currituck, Camden, Pasquotank, Perquimons, Gates, Chowan, Hertford, Bertie, Northampton, Halifax and Edgecombe; each of which districts shall be entitled to elect, and send one Representative to the Congress of the United States.

Be it further enacted, That the third section of said act, chapter 21, ratified 2nd January 1847, shall be and the same is hereby amended so as to make it the duty of the Sheriff, or other returning officer of each county, in each district, to meet on the Thursday next after each election, to compare the polls at the places hereafter named; that is to say:

In the first district, at the Court House in Asheville, in Buncombe county:

In the second district, at the Court House in Newton, in Catawba county:

In the third district, at the Court House in Yancyville, in Caswell county :

In the fourth district, at the Court House in the town of Troy, in Montgomery county :

In the fifth district, at the Court House in the town of Wilmington :

In the sixth district, at the Court House in Raleigh:

In the seventh district, at the Court House in Newbern :

And in the eighth district, at the Court House in Winton, in Hertford county.

Be it further enacted, That this act shall take effect from and after the fourth day of March next."

Pending debate,

Mr. Lillington, from the Committee appointed to superintend the election of United States Senator, reported that no person in nomination having received a majority of the whole number of votes given, there is no election.

Report concurred in.

On motion of Mr. Cunningham,

Ordered, That a message be sent to the House of Commons, proposing to vote again forthwith for Senator of the United States.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of that body, viz :

A bill to appoint Commissioners to locate the town of Marshall :

A bill to refund to the Treasury certain monies and for other purposes: and .

A bill to provide for the improvement of a public road from Reddies River to the Tennessee line.

The hour agreed upon for going into the election for the Attorney General having arrived, a message was sent to the House of Commons, informing that Messrs. Clark and Cowper form the Senate's branch of the committee to superintend said election, and that the Senate would proceed to vote on the return of the messenger.

The Senate then voted as follows :

FOR MR. EATON.

Messrs. Speaker, Barrow, Betry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Person, Shaw, Speight, Thomas, Ward, Watson and Withers--27.

FOR MR. RANSOM.

Messrs. Albright, Albritton, Arendell, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McCees, Mitchell, Murray, Palmer, Parks, Steele, Thompson, Washington, Willey Woodfin, and Bynum--21.

The Senate now resumed the consideration of the bill to lay off eight Congressional Districts within the State, and to designate the counties composing the same.

The pending question being on the amendment offered by Mr. Berry,

Mr. Thompson now moved an amendment to the amendment of Mr. Berry, when, on motion of Mr. Bynum, the same was ordered to be laid on the table and printed.

Mr. Clark, from the committee appointed to superintend the election for Attorney General, reported that no person in nomination having received a majority of the whole number of votes given, there is no election.

Report concurred in.

Mr. Hoke moved a reconsideration of the vote by which, on yesterday, the engrossed bill to incorporate the Atlantic and North Carolina Railroad was rejected, and moved that the motion to reconsider be laid on the table.

The vote on which motion resulted as follows—ayes 23, noes 22.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Albright, Albritton, Arendell, Cowper, Gilmer, Hoke, T. F. Jones, Keliy, Lane, Lillington, McMillan, Mitchell, Murray, Palmer, Parks, Richardson, Speight, Steele, Thomas, Thompson, Watson, Wiley and Woodfin—23.

Those who voted in the negative are :

Messrs. Barrow, Berry, Bower, Bunting, Bynum, Caldwell, Canady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, W. Jones, Joyner, Kerr, McClees, McDowell, Person, Shaw, Watson and Withers—22.

The Speaker voted in the negative, and the motion was lost.

The question now recurred on the motion to reconsider and was decided in the negative—Ayes 20, noes 22.

So the Senate refused to reconsider.

Mr. Watson moved that a message be sent to the House of Commons, proposing that the two Houses go into an election for a Judge of the Superior Court, to-morrow at 11 o'clock; which was disagreed to.

On motion of Mr. Bynum,

Resolved, That from and after to day, the Senate take a recess each day, from half-past one o'clock, until half-past 3 o'clock.

On motion of Mr. Gilmer, the Senate adjourned until half-past 3 o'clock, P. M.

HALF-PAST THREE O'CLOCK.

The engrossed bill to incorporate the Trustees of the Buena Vista Academy, in the county of Iredell, was read the second time and passed, and, on motion of Mr. Clark, ordered to be laid on the table.

The bill to incorporate Science Hill Male and Female Academy, in the county of Randolph, was read the second time and passed, and ordered to be laid on the table.

The bill to incorporate the True Brothers Society, in the town of Wilmington;

And the bill to incorporate the Burnsville Division, of the Sons of Temperance, were read, and, on motion, ordered to be laid on the table.

The resolution for purchasing out line Maps was read the third time and passed—ayes 31, noes 8.

Mr. Withers demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albright, Albritton, Arendell, Barrow, Berry, Brogden, Bunting, Bynum, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Joyner, Kelly, Kerr, Lane, Lillington, McClees, McMillan, Murray, Palmer, Parks, Richardson, Shaw, Thompson, Gilmer, and Ward,—31.

Those who voted in the negative are :

Messrs. Bower, T. F. Jones, McDowell, Speight, Watson, Withers, W. Jones and Willey—8.

Ordered that the resolution be engrossed.

The engrossed bill to incorporate Carolina Lodge No. 141, of Ancient York Masons :

And the bill to incorporate Columbus Academy, in the town of Whitesville, were taken up, and ordered to be laid on the table.

The engrossed bill to provide for the better government of the town of Lincolnton, and to amend the existing corporate laws of the said town, was read the second time and passed.

On motion of Mr. Hoke, the rules were suspended and said bill ordered to be read the third time.

Mr. Lillington now moved that the bill be indefinitely postponed, which motion was ruled to be not in order.

Mr. McDowell, moved to reconsider the vote by which the rules were suspended, to have said bill read a third time, which was not agreed to.

The bill was then read the third time.

Mr. Bynum moved to amend the bill, by striking out the 31st section of the same, which was agreed to.

The bill then passed its third reading as amended, and a message was sent to the House of Commons asking their concurrence in the amendments of the Senate.

The engrossed bill to incorporate a bank in the county of Washington, was now taken up, amended, on motion of Mr. Thompson, and rejected—ayes 20, noes 26.

Mr. Arendell demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Brogden, Bynum, Caldwell, Gilmer, T. F. Jones, Joyner, Kelly, Kerr, McClees, McMillan, Murray, Person, Richardson, Thomas, Ward, Watson, Withers, Willey and Woodfin—20.

Those who voted in the negative, are :

Messrs. Albritton, Arendell, Barrow, Berry, Bower, Boyd, Bunting, Cannady, Clark, Collins, Cowper, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Lane, Lillington, McDowell, Mitchell, Palmer, Parks, Shaw, Steele, and Washington—26.

On motion of Mr. Bynum, the Senate adjourned.

FRIDAY, Dec. 17, 1852.

Received from the House of Commons, sundry recommendations of Justices of the Peace, which were read, and concurred in.

Received a message from the House of Commons, proposing to go into an election of the United States Senator, this day at 12 o'clock; which was concurred in, and the House of Commons informed that Messrs. Hoke and Steele form the Senate's branch of the committee to superintend said election.

Mr. Steele presented the memorials of sundry persons in relation to the traffic and use of ardent spirits, and moved that the same be referred to the Committee on Propositions and Grievances.

Mr. Clark moved that said memorials be laid on the table, which resulted as follows: ayes 23, noes 23.

Mr. McClees demended the yeas and nays.

Those who voted in the affirmative, are:

* Messrs. Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Bynum, Caldwell, Clark, Collins, Cowper, Cunningham, Drake, Hargrave, Hoke, W. Jones, Lillington, Shaw, Speight, Ward, Watson and Withers—23.

Those who voted in the negative, are:

Messrs. Albright, Arendell, Cannady, Gilmer, Herring, T. F. Jones, Joyner, Kelly, Kerr, Lane, McClees, McDowell, McMillan, Mitchell, Murray, Parks, Person, Richardson, Steele, Thompson, Washington, Willey and Woodfin—23.

There being a tie, the Speaker, voted in the affirmative, and the memorials were laid on the table.

On motion of Mr. Gilmer, leave was granted to withdraw the memorials.

Received, a message from the House of Commons, proposing that the two Houses go into an election for Solicitor for the 6th Judicial Circuit, this day at half-past 12 o'clock : which was agreed to, and the House of Commons informed that Messrs. Murray and Cunningham form the Senate's branch of the Committee to superintend said election.

Also, a message proposing that the two Houses go into an election for Solicitor of the 7th Judicial Circuit, this day at a quarter after 12 o'clock; which, on motion of Mr. Shaw, was laid on the table—ayes 26, noes 19.

Mr. Cowper demanded the yeas and. nays

Those who voted in the affirmative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Bynum, Cannady, Clark, Collins Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McMillan, Mitchell, Person, Shaw, Speight, Thomas, Warn, Watson and Withers—26.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McDowell, Murray, Parks, Steele, Thompson, Washington, Willey and Woodfin.—19.

Also, a message proposing to go into an election for Attorney General, this day at half-past one o'clock ; which, on motion of Mr. Watson, was laid on the table.

Also, a message proposing that the two Houses go into an election for three Trustees of the University, this day, at one o'clock; which was agreed to, and the House of Commons informed that Messrs. Bunting and Albright form the Senate's branch of the committee to superintend the election.

On motion of Mr. Bynum, ordered that a message be sent to the House of Commons, proposing that the two Houses go into an election of Attorney General, this day at a quarter past 1 o'clock.

Mr. Joyner presented a memorial; which, on his motion, was ordered to be printed.

Mr. Person, from the Committee on Military Affairs, reported a resolution respecting the public arms; which was read the first time and passed.

Mr. Clark, from the Committee on Corporations, reported back the bill to incorporate the Guilford county Mining Company, and recommended its passage.

Ordered to be laid on the table.

Mr. Bower, from the Committee on Finance, reported back the bill to ensure greater certainty in the lists of taxable property: and

The bill for the protection of sheep; and asked to be discharged from their further consideration.

Discharged accordingly.

Mr. Washington presented a memorial, which, on motion, was referred to the Committee on Propositions and Grievances.

Mr. Thompson offered the following resolution, viz :

Resolved That a message be sent to the House of Commons, proposing to go into the election of a Judge of the Superior Court of Law and Equity, for the 7th Judicial Circuit, on to morrow at 12 o'clock.

Which, on motion of Mr. Bynum, was ordered to be laid on the table.

Mr. Hargrave offered a resolution in favor of Jere Adderton ; which was read the first time and passed, and, on motion, referred to the Committee on Propositions and Grievances.

Received a message from the House of Commons, stating that they have passed the engrossed bill to amend an act, entitled an act, to incorporate Union Institute, in Randolph county, at Normal College, with an amendment, in which they ask the concurrence of the Senate.

The amendment was agreed to and the bill ordered to enrollment.

Received a message from the House of Commons, transmitting the following engrossed bill and resolutions, in which they ask the concurrence of the Senate, viz :

A Resolution in favor of Charles Latham, Sheriff of Washington county;

A bill authorizing the Commissioners of the town of Smithville to convey to the congregation of St. Philips, a certain lot within the limits of said town, upon which a Church Edifice now stands ; which said bill and resolution were read the first time and passed.

A resolution, authorizing the Governor to furnish the Clerk of the County Court of Union, with the standard of weights and measures ; which was read the first time and passed, and, on motion, referred to the Committee on Propositions and Grievances.

A bill to authorize John B. Gardner, to collect arrears of taxes in the county of Yancy for the year 1850, which was read the first time and passed, and on motion, referred to the Committee on Propositions and Grievances.

Received a message from the House of Commons, stating that the hour of 12 o'clock having arrived, the House of Commons would vote for a Senator of the United States, according to the joint order, and that Messrs. Smith and Christmas constitute the committee on their part to superintend said election.

Mr. Albright nominated N. W. Woodfin for the appointment, and the Senate then voted as follows :

FOR MR. DOBBIN.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Person, Shaw, Speight, Thomas, Ward and Withers—26.

FOR MR. WOODFIN.

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Steele, Thompson, Washington, and Willey—20.

Mr. Woodfin voted for J. A. Gilmer.

Mr. Watson voted for Mr. Shepard.

Received a message from the House of Commons, agreeing to the proposition of the Senate, to vote this day for Attorney General, at a quarter after one o'clock, and informing that Messrs. Simons and Herring form their branch of the Committee to superintend said election.

The bill to define the duties and powers of Turnpike and Pland Road companies, was read the second time and passed.

The bill to make indictable certain trespasses was read the second time and passed.

The bill to amend an act passed, at the Session of 1846-7, entitled an act to make real estate assets, was read the second time and passed.

Mr. Steele, from the Committee, appointed to superintend the election of United States Senator, reported that no person in nomination having receiving a majority of the whole number of votes given, there is no election.

Concurred in.

The bill abolishing trial by jury in the County Courts, and for the more speedy and certain administration of justice, was taken up, and, on motion of Mr. Kelly, ordered to be laid on the table.

The bill to give the Courts of Pleas and Quarter Sessions, of the county of Randolph, jurisdiction over the sale of real estate, for division amongst joint tenants, and tenants in common, was read the second time, amended, on motion of Mr. Cannady, and passed.

The bill to authorize the several Courts of Pleas and Quarter Sessions to pay the Wardens of the poor was read

the second time, amended, on motion of Mr. Watson, and passed.

Received a message from the House of Commons, stating that the hour of twelve o'clock having arrived, they would proceed to vote for Solicitor of the 6th Judicial Circuit, according to the joint order, and that Messrs. Wheeler and Carmichael form their branch of the committee to superintend said election.

Also, that W. P. Bynum, and Wm. Lander are in nomination for the appointment.

The Senate then voted as follows :

FOR MR. LANDER.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, W. Jones, Kerr, McDowell, McMillan, Person, Shaw, Speight, Hoke, Thomas, Ward, Watson, and Withers--27.

FOR MR. BYNUM.

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Steele, Thompson, Washington, Willey and Woodfin.--21

Mr. Cunningham, from the committee appointed to superintend the election of Solicitor of the 6th Judicial Circuit, reported that Wm. Lander having received a majority of the whole number of votes given, is duly elected.

Report concurred in.

On motion of Mr. Shaw,

Resolved, That a message be sent to the House of Commons, proposing to go into an election for a Solicitor of the 7th Judicial Circuit, to morrow at one o'clock.

The Senate now took up for consideration the resolution directing the Public Treasurer to subscribe for eight hundred shares of the stock of the Fayetteville and Centre Plank Road company ;

Pending the consideration of which,

A message was received from the House of Commons, stating that the hour of one o'clock having arrived, the House of Commons will proceed to ballot for three Trustees of the University, according to the joint order of the two Houses, and that their branch of the committee to superintend said election consists of Messrs. Perry and Sauls.

The Senate then proceeded to vote by ballot, under the superintendence of Messrs. Bunting and Albright.

The hour agreed upon for going into the election for Attorney General, having now arrived, a message was sent to the House of Commons, informing that Messrs. W. Jones and Richardson constitute the Senate's branch of the committee to superintend said election.

On motion of Mr. Person, the name of Wm. Eaton was withdrawn from the nomination ; and, on motion of Mr. McClees, the name of Sion Rogers added thereto.

The Senate then voted as follows :

FOR MR. ROGERS.

Messrs. Clark, McClees, McDowell, Person.—4.

FOR MR. RANSOM.

Messrs. Albritton, Arendell, Bynum, Cannady, Cunningham, Gilmer, Hoke, T. F. Jones, Joyner, Kelly, Lane, Lallington, Mitchell, Murray, Palmer, Parks, Steele, Thompson, Washington, Willey, Woodfin and Cowper--22.

FOR MR. EATON.

Messrs. Speaker, Barrow, Berry, Boyd, Kerr, McMillan, Thomas, Watson, Withers and Brogden--10.

FOR MR. BUSBEE.

Messrs. Bower, Hargrave, Herring, Shaw, Speight and Ward--6.

FOR G. E. B. SINGELTARY.

Messrs. Drake and W. Jones.--2.

Mr. Collins voted for Mr. Lewis.

Received a message from the House of Commons, proposing that the two Houses go into an election for a Judge of the Superior Court, to-morrow at 12 o'clock ; which, on motion of Mr. Thompson, was ordered to be laid on the table.

Also, a message transmitting a communication from the Governor ; which, on motion of Mr. Bower, was ordered to be laid on the table.

Also, a message proposing to raise a Joint Select Committee of two on the part of each House, to whom shall be referred the plans and matters in regard to the subject of the Senatorial Districts.

Which proposition was agreed to, and the House of Commons informed that Messrs. Boyd and Woodfin constitute the Senate's branch of the committee on the subject.

The Senate now took a recess until half-after 3 o'clock.

HALF-PAST THREE O'CLOCK.

Mr. Jones, from the committee appointed to superintend the election for Attorney General, reported that Matt. W. Ransom having received a majority of the whole number of votes given, is duly elected.

Report concurred in.

On motion of Mr. McDowell,

Ordered, That the resolutions "as to the bar at the mouth of Cape Fear River," be transmitted to the House of Commons, and suggest that they have not been engrossed according to the joint rules of the two Houses.

Received a message from the House of Commons, concurring in the proposition of the Senate to go into an election for Solicitor of the 7th Judicial Circuit, to-morrow at one o'clock ; and informing that their committee to superintend said election consists of Messrs. Lowry and Sherrill.

Mr. Bunting, from the Committee appointed to superintend the election of three Trustees of the University, reported that S. P. Hill had received a majority of the whole number of votes given, and was duly elected, and that no other person had received a majority.

Report concurred in.

The Senate now resumed the consideration of the unfinished business of the morning, viz :

“The resolution directing the Public Treasurer to subscribe for eight hundred shares of the stock of the Fayetteville and Centre Plank Road company.”

Amended, on motion of Mr. Kelly, and rejected—Ayes 18. noes 28.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Arendell, Cowper, Gilmer, T. F. Jones, Kelly, Lane McDowell, McMillan, Murray, Parks, Richardson, Steele, Thomas, Lillington, Thompson, Washington and Woodfin—18.

Those who voted in the negative, are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Joyner, Kerr, McClees, Mitchell, Person, Shaw, Speight, Ward, Watson, Withers and Willey—28.

On motion of Mr. Kelly, the bill to extend the right of appeal, prevent unnecessary accumulation of costs, expedite justice and for other purposes, was read the third time, the amendments proposed by the committee agreed to, and said bill passed the third reading, and ordered to be engrossed.

The bill to incorporate the People's Bank of Newbern, was taken up, and, on motion of Mr. Washington, ordered to be laid on the table.

The engrossed bill to incorporate the Uharie and Yadkin Plank Road Company, was read the second time and passed.

The engrossed bill to attach a part of the county of Yadkin to Forsyth county, was read the second time.

Mr. Bower moved to amend the bill, so as to make the Yadkin River the dividing line.

The amendment was rejected.

Mr. Bower now moved to amend the bill, so as to include the possessions of Joseph I. Conrad, in the county of Yadkin.

Agreed to.

Mr. Bynum moved to postpone the further consideration of the bill until the 2nd day of March next; which was not agreed to.

The bill then passed its second reading as amended.

The Senate now proceeded to the consideration of the following engrossed resolution concerning the Public Lands, viz :

WHEREAS, The Public Domain of the United States is the property of all the States, purchased and procured by the common efforts and common treasure of those States, and in which each and all are fairly entitled to participate; and any appropriation of the public lands, to particular States, for special and particular purposes, in those States, is creative of unequal, unjust and improper discrimination, in the use of a common fund :

And whereas, the precedent has been set, and the practice obtained, in the Congress of the United States, of granting immense donations of the public lands to particular States, for the purposes of internal improvement and education, &c.:

And whereas, the State of North Carolina, in a spirit of generous patriotism and fraternal feeling, ceded to the General Government, a large and valuable portion of the public territory, and is, therefore, upon every principle of justice, equality and sound policy, fairly and legitimately entitled to her share of the public lands :

Therefore,

Resolved, That our Senators and Representatives in Congress be requested to make application, by bill or otherwise, to that body, for an appropriation to the State of North Carolina, of a fair and equitable portion of the public lands, or of the proceeds thereof, which, when so appropriated, shall be applied to purposes of internal improvement, public education, and in relief of the treasury and public burdens of the State.

The resolution being read, Mr. Cunningham moved that the same be laid on the table ; which was disagreed to—Ayes 18, noes 25.

Mr. Lillington demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Bower, Boyd, Bunting, Caldwell, Clark, Collins, Cunningham, Drake, Herring, W. Jones, Kerr, McDowell, Person, Shaw, Speight, Ward, Watson, and Withers—18.

Those who voted in the negative, are :

* Messrs. Albright, Albritton, Arendell, Barrow, Berry, Brogden, Bynum, Cowper, Gilmer, Hargrave, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McMillan, Mitchell, Murray, Richardson, Steele, Thompson, Washington, Willey and Woodfin 25.

Mr. Bower moved to amend the resolution, so as to make it read, "That our Senators be instructed and our Representatives requested ; which was agreed to—Ayes 24, nays 20.

Mr. Arendell demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, W. Jones, Kerr, McDowell, McMillan, Person, Shaw, Speight, Ward, Watson and Withers—21.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Richardson, Steele, Thompson, Washington, Willey and Woodfin—20.

Mr. Brogden moved to amend the resolution, by striking out all after the words, "*proceeds thereof*," which was disagreed to.

Mr. Cannady moved to amend the resolution by striking out the words "*or of the proceeds thereof*;" which motion was rejected—Ayes 17, noes 26.

Mr. Cannady demanded the ayes and nays.

Those who voted in the affirmative, are :

Messrs. Barrow, Boyd, Bunting, Caldwell, Cannady, Collins, Cunningham, Drake, Herring, W. Jones, Kerr, McDowell, Person, Shaw, Ward, Watson, and Withers—17.

Those who voted in the negative, are:

Messrs. Albright, Albritton, Arendell, Berry, Bower, Brogden, Bynum, Cowper, Gilmer, Hargrave, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McMillan, Mitchell, Murray, Richardson, Speight, Steele, Thompson, Washington, Willey and Woodfin—26.

The Senate now took a recess until half-past 7 o'clock.

HALF-PAST SEVEN O'CLOCK.

On motion of Mr. Richardson, leave of absence was granted to Mr. Steele, from and after to-morrow, for the residue of the session.

The bill to incorporate Indian Ridge Division, No. 220 of the Sons of Temperance;

The bill to incorporate Lake View Division, No. 161, of the Sons of Temperance in Hyde county:

The bill to incorporate Sunbury Divison, No. 174, of the Sons of Temperance;

The bill to incorporate Troy Division, No. 130, of the Sons of Temperance;

The bill to incorporate Soeial Division No. 58, of the Sons of Temperance, were severally taken up, and, on motion, ordered to be laid on the table.

The bill to regulate the pay of witnesses in the county of Brunswick was read the second time and passed, and, on motion of Mr. McDowell, the rules were suspended, and the bill read the third time, passed, and ordered to be engrossed.

The bill concerning the County Court of Edgecombe was read the second time and passed.

The resolution in favor of G. W. Scarborough was read the second time and passed.

The bill to revise and continue in force, an act to incorporate the North Carolina Manufacturing, Mining and Land Company, was read the second time and passed.

The bill for the better regulation of the town of Clinton in the county of Sampson, was read the second time and passed.

The engrossed bill to confirm a grant heretofore issued, to B. H. Stanmire, was now taken up.

Mr. Thomas moved to lay the said bill on the table, which motion was not carried.

The bill was then read the third time.

Mr. Thomas moved to amend the bill by striking out all after the enacting clause, and inserting the following, viz:

“That the Treasurer of the University, be, and he is hereby authorized to pay to B. H. Stanmire, the amount of money, which was received from the sale of the warrant, transferred to the use of the University, in the name of Benjamin Schoolfield, with interest to the present time.”

Mr. Person called for a division of the question, and the question being first taken on striking out, was determined in the negative—ayes 9, noes 30.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Berry, Bower, Cannady, Gilmer, Hoke, W. Jones, McDowell, Speight and Thomas—9.

Those who voted in the negative, are:

Messrs. Albright, Albritton, Barrow, Boyd, Brogden, Bunting, Bynum, Caldwell, Collins, Cunningham, Drake, Hargrave, Herring, T. F. Jones, Joyner, Kelly, Kerr, Lane, McClees, Murray, Parks, Person, Richardson, Shaw, Steele, Thompson, Washington, Watson, Withers and Willey--30.

So the Senate refused to strike out.

The question now recurred on the passage of the bill, its third reading, and was determined in the affirmative—Ayes 26, noes 11.

Mr. Thomas demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Barrow, Brogden, Bunting, Bynum, Caldwell, Collins, Cunningham, Drake, Hargrave, Herring, Joyner, Kelly, Lane, McClees, Murray, Parks, Person, Richardson, Shaw, Steele, Thompson, Albritton, Washington, Watson, and Withers--26.

Those who voted in the negative, are :

Messrs. Berry, Bower, Boyd, Cannady, Clark, Gilmer, Hoke, W Jones, Kerr, McDowell, and Thomas--11.

Ordered that the bill be enrolled.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bill, in which they ask the concurrence of that body, viz :

A bill to extend the right of appeal, prevent unnecessary accumulation of cost, as expedite justice and for other causes.

The bill to authorize James W. Lowe, of Lincoln county, to collect arrears of taxes due him, was read the second time, and, on motion of Mr. Bynum, indefinitely postponed.

The bill to consolidate, and amend the several acts heretofore passed, for the Government of the town of Oxford, in Granville county, was read the third time passed, and ordered to be engrossed.

The resolution in favor of Binum W. Bell of Macon county, was read the second time and passed.

The bill to incorporate Excelsior Lodge, No. 41, I. O. O. F. was taken up, and, on motion of Mr. Hoke, ordered to be laid on the table.

The bill for the government of Elizabeth City, in the county of Pasquotank, was read the second time, amended, on motion of T. F. Jones, and passed. On motion, the rules were suspended, and said bill read the third time, passed, and ordered to be engrossed.

The bill to empower B. M. Selby, to collect arrears of taxes, was read the 2d time, and, on motion of Mr. Cunningham, indefinitely postponed.

The resolution in favor of Marvel Kirk; was read the second time, and on motion of Mr. Washington, ordered to be laid on the table

The bill to authorize Drury A. Sugg, to collect arrears of taxes, was read the second time. Mr. Cunningham moved that said bill be indefinitely postponed; which was carried—Ayes 18, nays 11.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Barrow, Bower, Boyd, Bunting, Bynum, Caldwell, Clark, Collins, Cunningham, T. F. Jones, Kelly, Kerr, Lane, McClees, Murray, Person, Watson, and Willey—18.

Those who voted in the negative are :

Messrs. Albritton, Berry, Brogden, Cannady, Gilmer, Herring, Hoke, McDowell, Speight, Washington, and Withers—11.

So the bill was indefinitely postponed.

On motion of Mr. Gilmer, the Senate adjourned.

SATURDAY, December 12, 1852.

Received from the House of Commons, sundry recommendations of Justices of the Peace ; which were concurred in.

Several recommendations of Justices were presented, read and accepted, and sent to the House of Commons for concurrence.

Received a message from the House of Commons, proposing that the two Houses go into an election on Monday next, for Judge of the Superior Court, at 11 o'clock, and that the Judge, who may be elected, shall be assigned and reside in the 1st, 3rd, 6th or 7th Judicial Circuit ; which, on motion, was laid on the table.

Received a message from the House of Commons, stating that they concur in the amendments of the Senate, to the bill to amend the 1st section of the 64th chapter of the Revised Statutes.

Also, that they concur in the amendment of the Senate, to the bill to do away with collateral warrantes. Ordered that said bill be enrolled.

Also, informing that Messrs. Saunders and Amis form their branch of the committee on laying off the State into Senatorial Districts.

Mr. Clark, from the Committee on Corporations, reported back the bill to amend an act to incorporate the Washington Mining Company, passed in 1838 and 1839, and amended in 1850-'51, and recommended its passage.

Ordered lie on the table.

Also, the bill to incorporate the Ashboro and Salisbury Plank Road Company, with amendments.

Ordered to lie on the table.

Also, the bill to incorporate the Tarboro and Joiner Depot Plank Road Company, with an amendment.

Ordered to lie on the table.

Also, the bill to incorporate the Greensboro Mining Company, with an amendment.

Ordered to lie on the table.

Mr. Bunting introduced the following resolution, viz :

Resolved, That the State Librarian prepare and have printed a Catalogue of all the books in the State Library, and shall report to each succeeding Legislature, any increase or diminution to the said catalogue, and that he shall pro-

cure and preserve in the Library, two of the principal newspapers in the State.

Which was read the first time and passed, and, under a suspension of the rules, read the second time and passed.

Received from the House of Commons, a message, stating that they had passed the engrossed bill to incorporate the bank of Charlotte, with amendments, and ask the concurrence of the Senate therein.

The amendments were concurred in, and the bill ordered to be engrossed.

Mr. Washington, from the Committee on the Library, submitted a report on the subject of Wheeler's History of North Carolina, accompanied by a resolution in relation to the same, and moved that they be printed; which was disagreed to.

The resolution was then read the first time and passed.

Mr. McDowell, from the Committee on Amendments to the Constitution, to whom was referred a bill to amend the 23rd section of the Constitution of this State, reported the same back to the Senate, and recommended its passage.

Ordered to lie on the table.

The Senate now resumed the consideration of the unfinished business of yesterday, viz :

“The resolution on the subject of the public lands.”

Mr. Caldwell moved to amend the resolution, by striking out the word *lands*; which motion was disagreed to—Ayes 18, noes 29.

Mr. Lillington demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Bower, Boyd, Bunting, Caldwell, Clark, Collins, Cunningham, Drake, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Shaw, Speight, and Withers—18.

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Barrow, Berry, Brogden, Bynum, Cannady, Cowper, Gilmer, Hargrave, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Steele, Thompson, Ward, Washington, Willey, Person, and Woodfin—29.

Mr. Bower moved to amend the resolution, by inserting after the word *requested*, the words, *if, in their opinion, Congress has the right*, under the Constitution.

Which amendment was rejected.

Mr. Mitchell moved to amend the same, by striking out the words "*public lands or proceeds thereof*," and inserting in lieu thereof "*a fair and equitable proportion of the public lands* ; which amendment was ruled not to be in order.

The question now recurred on the passage of the resolution, its second reading , and was decided in the affirmative—Ayes 26, noes 19.

Mr. Arendell demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Arendell, Barrow, Berry, Bower, Brogden, Bynum, Cowper, Gilmer, Hargrave, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McMillan, Murray, Palmer, Parks, Richardson, Thompson, Washington, Willey and Woodfin—26.

Those who voted in the negative, are :

Messrs. Boyd, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Herring, Hoke, W. Jones, Kerr, McDowell, Murchison, Person, Shaw, Speight, Ward and Withers—19.

Received a message from the House of Commons, proposing that a Joint Select Committee be raised, consisting of two members from each House, to whom shall be referred the matter of dividing the State into eight Congressional Districts.

The proposition was agreed to, and the Senate informed that Messrs. Bynum and Person constitute the Senate's branch of the Committee on the subject.

The bill to amend an act, entitled an act to incorporate the Raleigh and Gaston Railroad Company, was read the second time and amended.

The question on the passage of the bill, was determined in the affirmative—Ayes 32, noes 8.

Mr. Arendell demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Barrow, Berry, Boyd, Bunting, Caldwell, Cannady, Clark, Collins, Cowper, Cunningham, Drake, Gilmer, Hargrave, Herring, Hoke, T. F. Jones, W. Jones, Joyner, Kelly, Lane, Lillington, McMillan, Mitchell, Parks, Person, Richardson, Shaw, Speight, Thompson, Willey and Woodlin—32.

Those who voted in the negative, are :

Messrs. Albritton, Arendell, Bower, Brogden, Kerr, McDowell, Murray and Washington—8.

The bill to amend the 9th section of the 39th chapter of the Revised Statutes, entitled an act concerning divorce and alimony, was read the second time and passed.

The bill to encourage agriculture, domestic manufactures and the mechanic arts, was read the second time, amended and passed.

On motion of Mr. Woodfin, the rules were suspended, and the bill read the third time, passed and ordered to be engrossed.

The bill to increase the capital stock of the Commercial bank of Wilmington, was read the third time and rejected—Ayes 19, noes 23.

Mr. Shaw demanded the ayes and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Kerr, Lane, Lillington, McClees, McMillan, Murray, Parks, Richardson, Washington, and Woodfin—18.

Those who voted in the negative, are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Collins, Cunningham, Drake, Hargrave, Herring, McDowell, Palmer, Person, Shaw, Speight, Thompson, Ward, Withers and Willey—23.

The hour agreed upon by the two Houses, for going into the election of Solicitor of the 7th Judicial Circuit, having now arrived, Mr. Shaw nominated A. W. Burton and Mr. Woodfin nominated Burgess Gaither.

And the House of Commons were informed that Messrs. Hoke and Mitchell form the Senate branch of the Committee to superintend said election.

The Senate then voted as follows:

FOR MR. BURTON.

Messrs. Speaker, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Person, Shaw, Speight, Ward, and Withers--25.

FOR MR. GAITHER.

Messrs. Albright, Albritton, Arendell, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, Mitchell, Murray, Palmer, Parks, Richardson, Thompson, Washington, Willey, and Woodfin--19.

The bill defining the duties and power of Turnpike and Plank Road companies was read the third time, passed, and ordered to be engrossed.

The bill to amend an act, passed at the Session of 1846-7, entitled an act, to make real estate assets, was read the third time, passed, and ordered to be engrossed.

The bill to authorize the several Courts of Pleas and Quarter Sessions, to pay the Wardens of the poor, was read the third time, amended, passed, and ordered to be engrossed.

Mr Hoke, from the Committee appointed to superintend the election, for Solicitor of the 7th Judicial Circuit, reported that A. W. Burton, having received a majority of the votes given, is duly elected.

Report concurred in.

The bill to make indictable certain trespasses, was read the third time, passed, and ordered to be engrossed.

The bill to amend an act, entitled an act, concerning the Supreme Court. Revised Statutes, chapter 33, and to amend an act, entitled an act, concerning Courts of Justice, Practice, Pleas, and Process, Revised Statutes, chapter 31, was read the second time.

Pending the consideration of which,

The Senate took a recess until half-past 3 o'clock.

HALF-PAST 3 O'CLOCK.

Received a message from the House of Commons, announcing that Messrs. W. K. Martin and W. J. Long constitute their Committee on Congressional Districts.

Received from the House of Commons, the recommendations of sundry Justices of the Peace, which were read and accepted.

The bill to attach a part of the county of Yadkin to Forsyth county, was read the third time.

Mr. Bower moved to lay the bill on the table, which was not agreed to—Ayes 18, nays 21.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Berry, Bower, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Drake, Hargrave, Herring, Hoke, Kerr, McDowell, McMillan, Shaw, Speight, and Withers—18.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Barrow, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Richardson, Thompson, Washington, Willey and Woodfin.—21.

The question on the passage of the bill was then taken, and decided in the affirmative.

The resolution in favor of Jos. R. Anderson, of Richmond, Virginia, was read the second time and passed.

The bill to amend the Asheville and Greenville Plank Road company, was read the second time and passed. On motion, the rules were suspended, and the bill read the third time, passed, and ordered to be engrossed.

Received a message from the House of Commons, proposing that the two Houses go into an election for two Trustees of the University, this evening at half-past four o'clock.

Which was disagreed to.

Mr. Person moved to reconsider the vote, by which the proposition to print the report of Mr. Washington, on the subject of Wheeler's History of North Carolina, was rejected; which motion was agreed to, and the report ordered to be laid on the table and printed.

The bill to incorporate the upper Little River Navigation company, in the county of Cumberland, was read the se-

cond time and passed. On motion, the rules were suspended, and the bill read the third time, passed and ordered to be engrossed.

The bill to incorporate the Rutherford and Cleveland Plank Road company, was read the second time and passed.

The bill to incorporated the New River Canal company, was read the second time and passed.

The bill to improve the navigation of the South West branch of New River, in the county of Onslow, was read the second time and passed.

The bill to incorporate the Jacksonville and Trent River Plank Road company, in the county of Onslow, was read the second time, amended, and passed.

On motion Mr. Caldwell, leave was granted to withdraw the bill to incorporate the Plymouth bank, and the memorial, in relation to the same.

Mr. Caldwell moved to reconsider the vote by which was rejected, the bill to increase the Capital Stock of the Commercial bank of Washington; which was agreed to; whereupon, on motion, ordered that said bill be laid on the table.

The engrossed bill to incorporate the Uharrie and Yadkin Plank Road comdany, was read the third time, passed, and ordered to be engrossed.

The engrossed bill for the better regulation of the town of Clinton, in the county of Sampson, was read the third time, passed, and ordered to be enrolled.

The bill to give the Courts of Pleas and Quarter Sessions of the county of Randolph jurisdiction over the sale of real estate for division amongst joint tenants, and tenants in common, was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Greensboro' and Deep River Plank Road Company, was read the second time, amended, and passed.

Mr. Caldwell moved to reconsider the vote, by which was rejected on yesterday, the resolution directing the Public Treasurer, to subscribe for eight hundred shares of the Fayetteville and Central Plank Road Company ; which motion was agreed to. Ordered that the said resolution be laid on the table.

The Senate now took a recess until half-after 7 o'clock.

HALF-PAST SEVEN O'CLOCK.

Sundry recommendations of Justices of the Peace, were received from the House of Commons; which were read and accepted.

On motion, Mr. Bynum was excused from further service as a member of the Select Committee on Congressional Districts, and Mr. Gilmer appointed in his place.

The bill concerning the County Court of Edgecombe, was read the third time, amended, on motion of Mr. Gilmer, passed, and ordered to be engrossed.

The resolution in favor of Binum W. Bell was read the third time, passed, and ordered to be engrossed.

The bill to amend, and continue in force, an act to incorporate the North Carolina Manufacturing and Land company, was read the third time, passed, and ordered to be engrossed.

The resolution in favor of G. W. Scarboro' was read the third time, passed and ordered to be engrossed.

The resolution in favor of W. D. Humphrey was read the second time, and, on motion of Mr. Cunningham, indefinitely postponed.

The bill to incorporate the town of Winston was read the second time and passed.

The bill to authorise Ambrose Caldron and others to establish a toll bridge over New River, in the county of Ashe, was read the second time, amended, on motion of Mr. Mitchell, and passed.

The bill to incorporate the town of Troy, in the county of Montgomery, &c., was read the second time and passed.

The bill authorising the commissioners of the town of Smithville to convey to the congregation of St. Philip's, a certain lot within the limits of said town, upon which a church edifice now stands, was read the second time and passed.

The engrossed bill in favor of Charles Latham, sheriff of Washington county, was read the second time and passed.

On motion of Mr. McClees, the rules were suspended, and the bill read the third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the Guilford County Mining company was read the second time and passed.

The bill to incorporate Neuse River and Snow Hill Plank road company was read the second time, amended and passed.

The bill to incorporate the Tarboro' and Enfield Plank Road company was read the second time, amended, and passed.

The bill to incorporate the Perseverance Mining company was read the second time, amended, and passed.

The bill to incorporate the Manteo Mining company was read the second time, amended and passed.

The bill to incorporate the Neula River and Copper Mine Turnpike company was read the second time and passed.

Mr. Thomas, from the Committee in Internal Improvements, to whom was referred the bill to incorporate the Suffolk and Gatesville Railroad company, reported the same back to the Senate, and recommended its passage.

Ordered to lie on the table.

Under a suspension of the rules, the following bills were read the third time, passed and ordered to be engrossed, viz :

The bill to incorporate the town of Winston ;

The bill to incorporate the town of Troy, in the county of Montgomery, and appoint commissioners of the same ;

The bill to authorise Ambrose Coldron, &c., to establish a toll bridge over New River, in the county of Ashe;

The bill to incorporate the Perseverance Mining company ;

The bill to incorporate the Tarboro' and Enfield Plank Road company ; and

The bill to incorporate Neuse River and Science Hill Plank Road company.

The following engrossed bills, under a suspension of the rules, were read the third time, passed, and ordered to be enrolled, viz :

The bill to incorporate the Guilford County Mining Company ; and

The bill authorising the commissioners of the town of Smithfield, to convey to the congregation of St. Philips, a certain lot within the limits of said town, upon which a church edifice now stands.

On motion of Mr. Arendell, the Senate adjourned.

MONDAY, Dec. 20, 1852.

The Speaker announced that Messrs. Kelly, McDowell and Shaw constitute the committee on enrolled bills for the present week.

Received a message from the House of Commons, stating that Messrs. Alberton, J. B. Bynnm, McEntire, Johnson and Waugh constitute their committee on enrolled bills the present week.

Mr. Woodfin, from the Committee on the Judiciary, reported back the bill to amend the 6th chapter of the Revised Statutes, concerning attachments, and recommended its passage.

Ordered to lie on the table.

Mr. Clark offered the following resolution, viz :

Resolved, That a message be sent to the House of Commons, proposing to rescind the joint order for adjournment on the 22nd instant, and to appoint Saturday the 25th instant for the adjournment of the General Assembly.

Mr. Cunningham moved that said resolution be laid on the table; which was agreed to.

The Senate resumed the consideration of the unfinished business, viz :

“ The bill to amend an act, entitled an act concerning the Supreme Court, Revised Statutes, chapter 33rd, and to amend an act, entitled an act concerning Courts of Justice, Practice, Pleas and Process, Revised Statutes, chapter 31.”

The pending question being on the amendment of Mr. Bynum ; which provides for laying off the State into nine Judicial Circuits, and requires all the Judges to hold the Supreme Court.

The amendment was agreed to.

The question now recurred on the passage of the bill, its second reading, as amended, and was determined in the affirmative—Ayes, 23, noes 20.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Arendell, Brogden, Bunting, Bynum, Caldwell, Clark, Collins, Drake, Hargrave, Herring, Hoke, W. Jones, Kelly, Kerr, Lane, McClees, McDowell, McMillan, Murchison, Murray, Richardson and Woodfin—23.

Those who voted in the negative, are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Cannady, Cunningham, Gilmer, T. F. Jones, Joyner, Lillington, Mitchell, Palmer, Person, Shaw, Speight, Ward, Watson Withers and Willey—20.

On motion of Mr. Brogden, the rules were suspended and said bill read the third time.

The question on the passage of the bill, the third and last reading, was determined in the negative—Ayes 20, noes 23.

Mr. Bower demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Arendell, Brogden, Bunting, Bynum, Caldwell, Clark, Collins, Drake, Herring, Hoke, W. Jones, Kelly, Kerr, Lane, McClees, McDowell, McMillan, Murchison, Washington and Woodfin—20.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Barrow, Berry, Bower, Boyd, Cannady, Cunningham, Gilmer, Hargrave, T. F. Jones, Joyner, Lillington, Mitchell, Murray, Palmer, Person, Shaw, Speight, Ward, Watson, Withers and Willey—23.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, viz :

A bill to encourage agriculture, domestic manufactures and the mechanic arts : and

A bill for the government of Elizabeth city; in which they ask the concurrence of that body.

The resolution respecting the public arms, was read the second time and passed.

The bill to repeal an act, passed in 1833-4, entitled an act concerning fisheries on the Scuppernong River, &c. was read the second time, and, on motion of Mr. Joyner, ordered to be laid on the table.

The bill for the protection of sheep, was read the second time and rejected.

The bill to repeal the 9th Section of the 42 chapter of the Revised Statutes, entitled entries and grants, was read the second time and passed.

The bill to amend the Constitution of North Carolina was read the second time.

Mr. Person moved to amend the bill by inserting after the words, "*public tax*," the words, "*in the same year, on or before the day of election*."

Which amendment was agreed to.

Mr. Lillington moved to amend the bill by striking out all after the enacting clause, and inserting the following substitute in lieu thereof, viz:

"That the Courts of Pleas and Quarter Sessions, of each and every county in the State, at the first term that shall be held after the first day of March, A. D. 1853, shall appoint two inspectors to superintend the polls to be opened at each and every election precinct, in said counties, for as-

certaining, by ballot, the will of the freemen of North Carolina, relative to the meeting of a convention, to amend, and alter the Constitution of this State; the delegates to which to be elected on the basis on which the members of the House of Commons are now elected: and if any Court or Courts shall fail to make such appointments, or if any inspectors, so appointed, shall fail to act, it shall be the duty of the Sheriff, or the person acting as his deputy on such occasion, or some Justice of the Peace or any two freeholders present, to appoint an inspector, or inspectors in the place of him, or them, who fail to act, which inspector or inspectors or freeholders, to perform the duties of their place with fidelity, shall have the same authority as if appointed by the Court.

2d. *Be it further enacted*, That it shall be the duty of the Sheriffs of the respective counties of this State, to open polls at the several election precincts in said counties on the first Thursday in August, 1853, when and where all persons qualified by the constitution to vote for members of the House of Commons may vote for or against a State Convention; those who wish a Convention voting with a printed or written ticket, "*Convention*;" and those who do not want a Convention voting in the same way, "*no Convention*," or against a Convention."

3d. *Be it further enacted*, That it shall be the duty of the Sheriffs to make duplicate statements of their poll, in their respective counties, sworn to before the Clerk of the County Court, one copy of which shall be deposited in said Clerk's office, and the other transmitted to the Governor of the State, at Raleigh, within thirty days after said election, and if any Sheriff or other officer appointed to hold said election shall fail to comply with the requirements of this act, he shall be liable to a fine of one thousand dollars, recoverable in the County or Superior Court, to the use of the county whose officer he is, in an action of debt, in the name

of the State, and it shall be the duty of county Solicitors and the Solicitors of the respective Judicial Circuits in the State, to prosecute such suits.

4th. *Be it further enacted*, That it shall be the duty of the Governor to communicate to the next General Assembly the results of said vote of the freemen of the State, relative to said Convention, in order that said General Assembly may certainly know, whether the people of North Carolina are willing to trust their constitution in the hands of delegates, elected by themselves, on the said federal basis."

Mr. Caldwell moved to amend the amendment of Mr. Lillington, by inserting, after the words, *Convention or no Convention, free suffrage or no free suffrage by Legislative enactment.*

Pending the consideration of which, on motion of Mr. Joyner, ordered that the same be laid upon the table.

Received a message from the House of Commons, proposing to raise a Joint Select Committee of three on the part of the Commons, and two on the part of the Senate, to consider the public business and report the earliest possible day for adjournment.

Which, on motion of Mr. Bynum, was ordered to be laid on the table.

Mr. Boyd, from the committee appointed to wait on his Excellency, Governor Reid, to inform him of his election, and to ascertain at what time it will suit his convenience to attend the two Houses and take the oaths of office, reported that he would attend the two Houses for that purpose, on Wednesday next, at 12 o'clock.

On motion of Mr. Boyd,

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee consisting of four members on the part of each House, whose duty it shall be to make suitable arrangements for the reception of his Excellency, David S. Reid, on Wednesday, the 22d instant, to take the oaths of office.

Mr. Thompson introduced the following resolution, viz :

Resolved, That a message be sent to the House of Commons, proposing to go into an election of a Senator in Congress, on to-morrow at 12 o'clock, and if an election can not be effected during that day, it shall be postponed indefinitely, during the present session of the General Assembly.

Mr. Hoke moved to amend the resolution by striking out all after the word 12 o'clock.

Which was not agreed to.

The resolution was then agreed to—Ayes 26, noes 17.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albright, Albritton, Arendell, Barrow, Bunting, Bynum, Caldwell, Cunningham, Gilner, Hargrave, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murchison, Murray, Palmer, Richardson, Thompson, Willey, and Woodfin
--26.

Those who voted in the negative are :

Messrs. Berry, Bower, Boyd, Brogden, Cannady, Clark, Collins, Drake, Herring, Hoke, Kerr, Parks, Shaw, Speight, Ward, Watson, and Withers—17.

Mr. Lillington moved to reconsider the vote by which was passed the engrossed bill to attach a part of the county of Yadkin to Forsyth county ; which motion was agreed to.

Mr. Lillington then moved to amend the bill, by striking out so much of the same as includes the possessions of Jos. J. Conrad, in the county of Yadkin.

Mr. Bower moved to lay the bill and amendment on the table ; which motion was carried—Ayes 22, noes 19.

Mr. Lillington demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Canady, Clark, Collins, Drake, Hargrave, Herring, Hoke, Kerr, McDowell, McMillan, Murchison, Shaw, Speight, Ward, Watson, and Withers—22.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Barrow, Bynum, Cunningham, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Richardson, Thompson, Willey and Woodfin.—19.

Mr. Woodfin, from the Committee on the Judiciary, reported back the bill relating to trials in capital cases, and recommended its passage.

Ordered to lie on the table.

Mr. Woodfin, from the same committee, to whom was referred the bill directing the Public Treasurer to subscribe bonds to the Seaboard and Roanoke Railroad company, reported a substitute for the same, and recommended its passage.

Ordered to lie on the table.

Also, the bill for the better regulation of the Wardens of the Poor, for the county of Onslow, and recommended its passage.

Ordered to lie on the table.

Also, the bill relating to witnesses, with amendments, and recommended its passage.

Ordered to lie on the table.

Also, the bill to extend the time for perfecting titles to lands heretofore entered, with an amendment, and recommended its passage.

Ordered to lie on the table.

Also, a bill for the protection and benefit of sundry citizens within this State, and recommended its rejection.

Ordered to lie on the table.

Mr. Lillington, from the same committee, reported back the engrossed bill to prevent live stock from malicious destruction, and recommended its rejection.

Ordered to lie on the table.

The bill to incorporate the North Carolina and Western Railroad company was read the second time.

Mr. Brogden moved to amend the bill by striking out the 36th section.

¶ Pending the consideration of which, on motion of Mr. Bynum, the bill and amendment were postponed until half-past 3 o'clock, P. M.

The resolution in favor of J. R. Anderson was now taken up and read the third time.

Mr. Bynum moved to postpone the same until the third of March next.

Pending which,

The Senate took a recess until half-past 3 o'clock

HALF-PAST 3 O'CLOCK.

Mr. Berry presented recommendations for Justices of the Peace for Orange and Alamance counties, which were read and accepted, and sent to the House of Commons, for their concurrence.

Received a message from the House of Commons agreeing to raise a Joint Select Committee of four on the part of each House, to make suitable arrangements for the reception of his Excellency, David S. Reid, on Wednesday the 22d instant, to take the oath of office; and announcing that Messrs. Wynne, Allen, Miller and A. Reid from their part of the committee on the subject.

Whereupon Messrs. Boyd, Hargrave, Drake and Bynum, were appointed the Committee on the part of the Senate.

Also, a message stating that the House of Commons agrees to the proposition of the Senate, that the two Houses vote for United States Senator, to-morrow at 12 o'clock.

And that their Committee to superintend said election, consists of Messrs. Cherry and Strange;

That the House does not agree to the proposition of the Senate, that if an election can not be effected during that day, it shall be indefinitely postponed during the present Session of the General Assembly.

The Senate now resumed the consideration of the special order, viz :

"The bill to incorporate the North Carolina and Western Plank Road company."

The question pending, being on the motion of Mr. Brogden, to strike out the 36th section,

Mr. Joyner now moved to amend the said 36th section, by adding the following at the end of the same, viz :

"That, whenever solvent individuals in the said company shall have subscribed one million of dollars to the capital stock thereof, and shall have expended, either in money or labor, the sum of \$500,000 towards the construction of the said railroad, and the Board of Internal Improvement is duly informed thereof, by a certificate signed by the Treasurer and countersigned by the President of the said company, it shall be the duty of the said Board, and they are hereby directed, to subscribe to the capital stock of said company, \$200,000, for and on account of the State of North Carolina, which subscription shall be paid for in manner following, viz : \$100,000 when the said certificate is presented, or as soon thereafter as conveniently practicable; \$100,000 in ninety days thereafter, and at every subsequent ninety days, the same amount, until the sum of \$500,000 shall have been paid ; and whenever the said in-

dividual stockholders shall have expended, in the construction of said road, in manner aforesaid, the remaining sum of \$500,000, by them subscribed, and a certificate to that effect, signed by the Treasurer, and countersigned by the President of the said company, shall have been presented to the said Board of Internal Improvement, it is hereby declared to be their duty, and they are directed, to transfer, by proper deed, under the seal of the State, fifteen thousand shares of the stock held by the State, in the North Carolina Railroad company, to complete the State's subscription of \$2,000,000, to the capital stock of the said company : *Provided, however,* It shall be at the option of the General Assembly, at any time before the said transfer is made, to pay the whole of the State's subscription in money, if deemed most advantageous to the State.

The question being first taken on the amendment, the same was rejected—Ayes 17, noes 27.

Mr. Joyner demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Arendell, Caldwell, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray Palmer, Richardson, Thomas, Thompson, Washington and Woodlin—17.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Ward, Watson, Withers and Willey—27.

The question now recurred on the motion of Mr. Brogden and was determined in the affirmative—Ayes 30, noes 15.

Mr. Arendell demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, T. F. Jones, W. Jones, Kerr, McDowell, McMillon, Murchison, Murray, Person, Richardson, Shaw, Speight, Thompson, Ward, Watson, Withers and Willey—30.

Those who voted in the negative, are :

Messrs. Albright, Arendell, Caldwell, Gilmer, Hoke, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Palmer, Thomas, Washington and Woodfin—15.

On motion of Mr. Woodfin, ordered that said bill be laid on the table.

The Senate now proceeded to the consideration of the unfinished business of the morning, viz :

“The resolution in favor of J. R. Anderson.

The pending question being on the motion of Mr. Bynum, to postpone said resolution until the 3rd day of March next.

The motion of Mr. Bynum was withdrawn, and the resolution passed its third and last reading, and was ordered to be engrossed.

On motion of Mr. McDowell, the Senate now took up for consideration, the bill to incorporate the bank of North Carolina, in the county of Cumberland.

The question now recurred on the passage of the bill, its second reading, and was determined in the negative—Ayes 18, noes 21.

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Brogden, Caldwell, Gilmer, Hargrave, T. F. Jones, Kelly, Kerr, Lane, McClees, McDowell, McMillan, Murchison, Palmer, Richardson, Thomas, Watson and Withers—18.

Those who voted in the negative are :

Messrs. Albritton, Barrow, Berry, Bunting, Bynum, Cannady, Clark, Collins, Cunningham, Drake, Herring, Hoke, W. Jones, Lillington, Murray, Person, Shaw, Speight, Thompson, Ward and Willey—21.

So the bill was rejected.

Received a message from the House of Commons, transmitting the following engrossed bill, in which they ask the concurrence of the Senate, viz :

A bill to facilitate the recovery of debts due from non-resident debtors ; which was read the first time and passed.

Said message also asked the concurrence of the Senate in the following engrossed bills and resolutions, viz :

A bill to incorporate the Lockville and Hillsboro Plank Road Company ;

A bill to incorporate the town of New Salem, in the county of Randolph ;

A resolution to furnish the Governor's residence : and

A resolution in favor of Wm. R. Lovell.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of that body, viz :

A bill to consolidate and amend the several acts heretofore passed for the government of the town of Oxford, in Granville county ;

A bill to amend the charter of the Ashville and Greenville Plank Road Company,

A bill to make indictable certain trespasses;

A bill to authorize Ambrose Coldron and others, to establish a toll bridge over New River, in the county of Ashe :
and

A bill to give the Courts of Pleas and Quarter Sessions of the Courts of Randolph, jurisdiction over the sale of real estate for division amongst joint tenants and tenants in common.

The bill to amend the charter of the Neuse River Navigation Company, was read the second time and passed.

The bill to transfer part of the stock of the Fayetteville and Western Plank Road, to the Ashville and Greenville Plank Road, was read the second time, and, on motion of Mr. Drake, indefinitely postponed.

The bill to lay off and establish a public road from Lincoln to Greenville, was read the second time and passed.

The bill to amend an act, entitled an act concerning Courts of Justice, Practice, Pleas and Process, was read the second time and passed.

The bill to insure greater certainty in the lists of taxable property, was read the second time, and, on motion of Mr. Bynum, indefinitely postponed.

The bill to incorporate the Ashboro and Salisbury Plank Road Company was read the second time, amended and passed.

On motion of Mr. Caldwell, the Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, December 21, 1852.

Sundry recommendations for Justices of the Peace for Warren county, were read and accepted, and sent to the House of Commons for their concurrence.

Received from the House of Commons, sundry recommendations for Justices of the Peace; which were read and accepted.

Mr. Joyner introduced a resolution in relation to the selling railroad iron, &c; which was read the first time and passed.

On motion of Mr. Joyner, the rules were suspended and the resolution read the second and third times, passed and ordered to be engrossed.

Mr. Woodfin, from the select committee, appointed to enquire into the condition of the institution for the Deaf, Dumb, and Blind &c. submitted a report thereon, accompanied by a bill, to amend the several acts of the General Assembly, in relation to the same, which was read the first time and passed. On motion of Mr. Bynum, said report and bill were ordered to lie on the table, and be printed.

Received a message from the House of Commons, stating that they concur in the amendments of the Senate to the bill, to provide for the better Government of the town of Lincolnton, and to amend the existing corporate laws of the same.

Ordered that said bill be enrolled.

Received a message from the House of Commons, transmitting the following engrossed resolution, in which they ask the concurrence of the Senate, viz :

A resolution as to the bar at the mouth of Cape Fear River, which was read the first time and passed.

Also, a message transmitting the following engrossed bills, in which they ask the concurrence of the Senate, viz :

A bill to incorporate the Lumberton and Columbus Plank Road company,

And a bill on jury trials in the County Court of Columbus; which were read the first time and passed.

Also a message transmitting the following engrossed resolution, in which they ask the concurrence of the Senate, viz .

A resolution concerning intervention; which was read the first time and passed.

Also, a message transmitting the following engrossed bills in which they ask the concurrence of the Senate, viz :

A bill to protect the rights of person owing personal property in common;

A bill to provide for the holding of an extra term of the Superior Court of Wake;

A bill to regulate the form of bonds issued by the State; which bills were severally read the first time and passed.

Also, a bill to incorporate the Seaman's Friend Society, which was read the first time and passed, and, on motion, ordered to be laid on the table.

Also, a bill to incorporate the Salisbury and Wilkesboro' Plank Road Company, which was read the first time and passed.

Mr. Woodfin, from the select committee on the arrangement of the Senatorial Districts, reported, that said committee were unable to agree, and asked to be discharged from the further consideration of the subject.

Discharged accordingly.

Received a message from the House of Commons, proposing that the two Houses go into a election, for a Judge of the Superior Court, this day at half-past 11 o'clock, and that said Judge, when elected, shall reside in the 1st, 3rd, 5th or 7th Judicial Circuit; which, on motion of Mr. Kelly, was ordered to be laid on the table.

Mr. Kelly presented the following resolution, viz :

Resolved, That a message besent to the House of Commons, proposing to go into the election of a Judge of the Superior Court of law and equity, for the 7th Judicial Circuit, this day at 11 o'clock; which, on motion of Mr. Cunningham, was laid on the table.

The following engrossed bills and resolutions from the House of Commons, were read the first time and passed, viz :

A bill to incorporate the town of New Salem in the county of Randolph;

A resolution in favor of Wm. R. Lovell;

A resolution to furnish the Governor's House;

A bill to incorporate the Locksville and Hillsboro' Plank Road Company.

A bill to change the name of the County site of Yadkin County.

A bill in favor of John Smith of New Hanover;

And a bill to incorporate the Mutual Insurance company in the town of Fayetteville.

Received a message from the House of Commons, transmitting the following engrossed resolution, in which they ask the concurrence of the Senate, viz.

"A resolution in favor of the engrossing Clerks;" which was read the first time and passed, and the rule being suspended, read the second and third times, passed and ordered to be enrolled.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills in which they ask the concurrence of that body viz :

A bill to regulate the pay of witnesses in the county of Brunswick;

A bill to authorize the several courts of pleas and quarter sessions to pay the wardens of the poor;

A bill to incorporate the Perseverance Mining company ;

And a bill to incorporate the Manteo Mining company;

The following engrossed bill from the House of Commons was read the first time and passed, viz :

A bill to incorporate a Company to construct a Rail Road from some point on the Cape Fear River, at or near Fayetteville, to some point in the coal region hereafter to be determined.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and Resolution, in which they ask the concurrence of that body, viz.

A bill to amend an act passed at the session of 1846-47 entitled an act to make real estate assets;

A bill to incorporate the town of Troy in the county of Montgomery and appoint Commissioners of the same;

A bill to revive and continue in force an act to incorporate the North Carolina manufacturing, mining and land Company, passed at the session of the General Assembly for 1850;

And a resolution in favor of Gov. W. Scarborough.

The hour agreed upon by the two Houses for going into the Elector for United States Senator having now arrived,

Mr. Watson withdrew the name of Mr. Shepard.

Mr. Bower withdrew the name of James C. Dobbin.

And, on motion of Mr. Caldwell, the name of T. L. Clingman was put in nomination.

And the House of Commons were informed that Messrs. Clark and Mitchell form the Senate's branch of the Committee to superintend said election.

The Senate then voted as follows :

FOR MR. CLINGMAN.

Messrs. Barrow, Bower, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Herring, Hoke, W. Jones, Kerr, McMillan, Shaw, Speight, Thomas, Ward, and Withers—19.

FOR MR. WOODFIN.

Messrs. Albright, Albritton, Arendell, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Thompson, Washington, and Willey—18.

Messrs. Berry, Boyd, Person and Watson voted for Judge Ruffin---4.

Mr. McDowell voted for Mr. Bragg.

Mr. Bynum voted for A. H. Sheppard.

Mr. Hargrave for Burton Craig.

Mr. Speaker voted for Judge Strange.

Mr. Boyd, from the Committee on the subject, submitted the following report, viz :

The Committee appointed to make arrangements for the inauguration of the Governor elect, ask leave to make the following report:

“That the Speakers of the two Houses will occupy the place at the Speaker’s table, in the Commons Hall, and that the Governor elect will occupy the place at the Clerks’ table;

The committee of arrangements immediately in front of the Clerks’ table;

The members of the Senate will set on the right of the Speaker’s chair in the Commons’ Hall, which will be set apart for that purpose; And after the Governor elect

shall have taken and subscribed the oaths of office, in the presence of the members of both branches of the General Assembly,

The Speaker of the Senate will announce that the Senators will retire to the Senate chamber, and thereupon the Governor and Committee of arrangements will first retire, and the Speaker of the Senate will retire at the head of the members of the Senate."

The report was concurred in and ordered to be sent to the House of Commons, requesting their concurrence in the same.

Mr. Clark, from the committee appointed to superintend the election for United States Senator, reported that no person in nomination having received a majority of the vote given, there is no election.

Report concurred in.

Received a message from the House of Commons, proposing to vote again forthwith for a Senator of the United States; which proposition was concurred in, and the House of Commons informed that Messrs. Mitchell and Clark form the committee, on the part of the Senate, to superintend said election.

Whereupon, a message was received from the House of Commons, stating that Messrs. Albertson and Dortch form their branch of the committee to superintend the election for United States Senator, and that they would proceed to vote on the return of the messenger.

The Senate then voted as follows:

FOR MR. CLINGMAN.

Messrs. Barrow, Berry, Bower, Brogden, Bunting, Caldwell, Canady, Clark, Collins, Cunningham, Hargrave, Herring, Hoke, W. Jones, Kerr, Person, Shaw, Speight, Thomas, Ward and Withers--21.

FOR MR. WOODFIN.

Messrs. Albright, Albritton, Arendell, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Parks, Richardson, Thompson, Washington and Willey--18.

FOR MR. STRANGE.

Messrs. Speaker and McDowell--2.

Mr. Boyd voted for Mr. Ruffin.

Mr. McMillan voted for Mr. Dobbin.

Mr. Watson voted for Mr. Leake.

On motion of Mr. Joyner, the Senate took up for consideration, the bill regulating the fisheries in the Eastern part of the State; which was read the first time, and amended, on motion of Mr. Joyner.

Mr. Shaw moved to amend the bill by adding the following proviso, to come in at the 38th line of the 1st section, viz :

"And provided further, that this act shall not apply to shad nets."

Which amendment was rejected.

On motion of Mr. Gilmer, the bill was laid on the table.

Whereupon, Mr. Gilmer, from the Select Committee on Congressional Districts, reported a bill; which, on motion

of Mr. Hoke, was ordered to be laid on the table and printed.

The Senate, on motion, now took up for further consideration the bill regulating the fisheries, in the Eastern part of the State.

Mr. Shaw moved the following amendment, to come in as section 2nd, viz :

"Be it further enacted, That it shall not be lawful for any person to cut or save tobacco, wash or dig gold, or burn bricks on Sunday, in any county in this State; and any person who shall violate the provisions of this act, shall forfeit and pay the sum of \$20 for each offence, to be recovered by warrant before any Justice of the Peace in the county where such offence shall be committed, to be applied, one half to the informer, warranting for the same, and the other half to the use of the Wardens of the Poor of said county."

Mr. Cunningham moved to amend the amendment, by striking out "*cut or save tobacco*;" which was disagreed to.

Mr. Person moved to amend, by striking out the words, "*or burn bricks*;" which motion was not agreed to.

The amendment of Mr. Shaw was then rejected.

Mr. Joyner moved the following amendment, to come in at the latter clause of the 1st section, viz :

"Provided, That the penalties of this act shall not be enforced against the owners of set nets, who, by stress of weather, are prevented from taking up their nets at the time required by law."

Pending the consideration of which,

The Senate took a recess until half-past 3 o'clock.

HALF-PAST THREE O'CLOCK.

Mr. Clark, from the committee appointed to superintend election of United States Senator, reported that no person in nomination having received a majority of the whole number of votes given, there is no election.

Report concurred in.

The Senate resumed the consideration of the unfinished business of the morning, viz :

“The bill regulating the fisheries in the Eastern part of the State.”

The pending question being on the amendment of Mr. Joyner ; which was agreed to.

The question now recurred on the passage of the bill, its second reading, and was determined in the affirmative—Ayes 18, noes 17.

Mr. Shaw demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albritton, Berry, Cannady, Clark, Gilmer, Hargrave, Herring, Joyner, Kerr, Lane, Lillington, Palmer, Parks, Person, Thompson, Ward, Willey and Woodfin.—18.

Those who voted in the negative, are :

Messrs. Albright, Barrow, Bower, Brogden, Bunting, Caldwell, Collins, Cunningham, Drake, Hoke, T. F. Jones, W. Jones, McClees, McMillan, Murchison, Murray, and Shaw—17.

Received a message from the House of Commons, concurring in the amendments made for the reception of the Governor on the 22nd instant.

The engrossed bill to incorporate the Greensboro' and Deep River Plank Road company, was read the third time and passed, as amended, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

The engrossed bill to amend an act, entitled an act, to incorporate the Raleigh and Gaston Rail Road company, was read the third time.

Mr. Withers moved to amend the third section of the bill, so as to give the State four Directors, instead of three.

Upon this question, Mr. Brogden demanded the yeas and nays, and the result was—ayes 22, noes 22.

Those who voted in the affirmative, are :

Messrs. Albritton, Arendell, Berry, Bower, Bnyd, Brogden, Caldwell, Clark, Cunningham, Drake, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Person, Shaw, Speight, Ward, Washington and Withers—22.

Those who voted in the negative, are :

Messrs. Albright, Barrow, Bunting, Cannady, Collins, Gilmer, Hargrave, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murchison, Murray, Palmer, Parks, Richardson, Thompson, Willey and Woodfin—22.

There being a tie, the Speaker voted in the negative, and the amendment was lost.

Mr. Brogden moved to amend the bill in the third section, 6th line, by inserting, after the word "Directors," the words, "*citizens of the State.*"

Which amendment was agreed to, ayes 29, noes 13.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Arendell, Albritton, Barrow, Berry, Bower, Boyd, Brogden, Cannady, Clark, Cunningham, Drake, Herring, Kelly, Kerr, Lillington, McDowell, McMillan, Mitchell, Murray, Palmer, Person, Richardson Speight, Thompson, Washington, Withers, Willey and Ward—29.

Those who voted in the negative, are :

Messrs. Bunting, Caldwell, Collins, Gilmer, Hargrave, Hoke, T. F. Jones, W. Jones, Joyner, McClees, Murchison, Shaw and Woodfin—13.

Mr. Arendell moved to amend the bill, by adding the bill to incorporate the Atlantic and North Carolina Rail Road Company. Mr. McDowell raised a point of order, and insisted that the amendment could not now be entertained, the same having heretofore been rejected by the Senate. Mr. Bower who occupied the chair temporarily decided the amendment to be in order.

From which decision Mr. McDowell appealed.

And the question—shall the decision of the Chair stand as the judgment of the Senate? was decided in the negative, ayes 13, noes 28.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albritton, Arendell, Brogden, Clark, Gilmer, Hoke, Kelly, McMillan, Murchison, Richardson, Speight, Thompson, and Washington—13.

Those who voted in the negative are :

Messrs. Albright, Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Cannady, Collins, Cunningham, Drake, Hargrave, Herring, T. F. Jones, W. Jones, Joyner, Lane, Lillington, McClees, McDowell, Mitchell, Murray, Palmer, Person, Ward, Withers Willey, and Woodfin—28.

So the chair was not sustained.

The question now recurred on the passage of the bill, the third and last time, and was determined in the affirmative—Ayes 28, noes 14.

Mr. Arendell demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Barrow, Berry, Boyd, Bunting, Caldwell, Cannady, Clark, Collins, Gilmer, Hargrave, Herring, Hoke, T. F. Jones, W. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Palmer, Person, Richardson, Shaw, Thompson, and Woodfin—28.

Those who voted in the negative, are :

Messrs. Albritton, Arendell, Bower, Brogden, Cunningham, Drake, Kerr, McDowell, McMillan, Murchison, Speight, Washington, Withers and Willey—14.

Ordered, That a message be sent to the House of Commons, asking their concurrence in the amendment of the Senate.

Mr. Caldwell introduced the following resolution, viz :

Resolved, That a message be sent to the House of Commons, proposing to rescind the joint resolution fixing the day of adjournment on Wednesday, the 22d instant.

Mr. Person moved to amend the resolution, by adding "*and that the two Houses adjourn sine die, on the 24th instant.*"

Mr. Lillington moved to amend the amendment, by striking out the 24th and inserting the 27th.

The question on which was decided in the negative—Ayes 19, noes 24.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Boyd, Brogden, Caldwell, Cannady, Clark, Collins, Gilmer, Herring, Hoke, W. Jones, Kelly, Lane, Lillington, McMillan, Speight, Thomas, Washington, Withers and Woodfin.—19

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Barrow, Berry, Bower, Bunting, Cunningham, Drake, Hargrave, T. F. Jones, Joyner, Kerr, McDowell, Mitchell, Murchison, Murray, Palmer, Person, Richardson, Shaw, Thompson, McClees, and Willey—24.

The question now recurred on the amendment of Mr. Person, and was determined in the affirmative—Ayes 22, noes 21.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albritton, Barrow, Berry, Bunting, Cunningham, Drake, Gilmer, Hargrave, T. F. Jones, Joyner, Lillington, McClees, McDowell, Mitchell, Murchison, Person, Richardson, Shaw, Thompson, Withers, Willey and Woodfin—22.

Those who voted in the negative, are:

Messrs. Albright, Arendell, Bower, Boyd, Brogden, Caldwell, Cannady, Clark, Collins, Herring, Hoke, W. Jones, Kelly, Kerr, Lane, McMillan, Murray, Palmer, Speight, Thomas and Washington—21.

The question now recurred on the adoption of the resolution as amended, and was decided in the affirmative—Ayes 32, noes 10.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Gilmer, Hargrave, Herring, Hoke, T. F. Jones, W. Jones, Joyner, Kerr, Lillington, McDowell, Mitchell, Murchison, Person, Richardson, Shaw, Speight, Thomas, Washington, Withers and Woodfin—32.

Those who voted in the negative are:

Messr. Albright, Albritton, Kelly, Lane, McClees, McMillan, Murray, Palmer, Thompson and Willey—10.

The Senate now took a recess until half-past 7 o'clock.

HALF-PAST 7 O'CLOCK.

Received a message from the House of Commons, transmitting a communication from the Secretary of State; which was read and ordered to be laid on the table.

Also a message transmitting the report of the Bank of Washington, with a proposition to print the same ; which proposition was agreed to.

Received from the House of Commons, the resignation of James T. Russell, a Justice of the Peace, for Warren county ; which was read and accepted.

The bill to incorporate the Greensboro' Company was read the second time, amended and passed.

The bill for the better regulation of the Wardens of the Poor, for the county of Onslow, and for other purposes, was read the second time and passed.

The bill to incorporate the Suffolk and Gatesville Railroad Company, was read the second time and passed.

The bill to incorporate the Rutherford and Cleaveland Plank Road Company, was read the third time, passed and ordered to be engrossed.

The bill to incorporate the New River Canal Company, was read the third time, passed and ordered to be engrossed.

The bill to improve the navigation of the Southwest branch of New River, in the county of Onslow, was read the third time, passed and ordered to be engrossed.

Mr. Bynum moved an adjournment.

Not agreed to.

The bill to incorporate the Jacksonville and Trent River Plank Road company, was read the third time, passed, and ordered to be engrossed.

The bill to lay off and establish a public road from Lincoln to Greenville was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Ashboro' and Salisbury Plank Road company, was read the third time, passed, and ordered to be engrossed.

The bill to amend the charter of the Neuse River Navigation Company, was read the third time, passed, and ordered to be engrossed.

The bill to incorporate the Tarboro' and Joyner's Depot Plank Road company, was read the second time and passed.

The engrossed bill to amend an act to incorporate the Washington Mining company, passed in the year 1838-9, and amended in the year 1850-1, was read the second time and passed.

The engrossed bill from the House of Commons, to prevent the stealing, taking, or conveying away of slaves, was read the first time and passed.

The resolution in relation to the public arms, was read the third time, passed, and ordered to be engrossed.

The bill to repeal the 9th section of the 42d chapter of the Revised Statutes, entitled entries and grants, was read the third time and passed, and ordered to be engrossed.

The engrossed bill concerning the official bonds of Sheriffs, Coronors and Constables, was read the first time and passed.

The engrossed resolution concerning the Public Treasury, was read the first time and passed. On motion, the rules were suspended, and the resolution read the second time and passed—ayes 38, noes 1.

Mr. Bynum demanded the ayes and nays.

Those who voted in the affirmative are :

Messrs. Albright, Albritton, Barrow, Berry, Bower, Boyd, Brogden, Caldwell, Cannady, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, T. F. Jones, W. Jones, Joyner, Kelly, Kerr, Lillington, McClees, McDowell, Mitchell, Murray, Palmer, Person, Richardson, Shaw, Speight, Thomas, Thompson, Washington, Withers, Willey, Bunting, Watson, and Woodfin—38.

Those who voted in the negative are :

Mr. Bynum--1.

The rules were suspended, and the resolution read the third time, passed, and ordered to be enrolled.

¶ The following engrossed bills were read the first time and passed, viz :

¶ A bill to repeal in part the 5th section of an act of the General Assembly, passed at its session of 1850-51, entitled an act to establish a Superior Court of law and equity for the county of Watauga;

A bill to amend an act, entitled an act, to incorporate the town of Lumberton, passed at the session of the General Assembly of 1850-51; and

A bill to authorize the union of the Greenville and Roanoke Rail Road company, with the Petersburg Railroad company.

On motion of Mr. Thompson, the Senate took up for consideration, the engrossed bill to regulate the form of bonds issued by the State, which was read the first time and passed.

On motion, the rules were suspended, and said bill read the second time.

Mr. Watson moved to amend the bill, by striking out, "*New York*;" which was not agreed to.

The bill then passed its second reading, and the rules being suspended, the said bill was read the third time, passed, and ordered to be enrolled.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and resolution, in which, they ask their concurrence, viz :

A resolution in favor of J. R. Anderson;

A bill concerning the County Court of Edgecombe; and

A bill defining the duties and powers of Turnpike and Plank Road companies.

The following engrossed bills were read the first time and passed, viz :

A bill to establish a public road in the county of Madison;

A bill to amend an act passed at the session of 1850-51, entitled an act, to incorporate the Greenville and Raleigh Plank Road company.

Mr. Bynum moved an adjournment; which was disagreed to—ayes 18, noes 21.

Mr. Bynum demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albright, Brogden, Bynum, Caldwell, Collins, Hargrave, Hoke, T. F. Jones, W. Jones, Joyner, Kelly, Kerr, Lane, Palmer, Shaw, Thomas, Watson and Withers—18.

Those who voted in the negative are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Bunting, Cannady, Cunningham, Drake, Gilmer, Herring, Lillington, McDowell, Mitchell, Murclison, Murray, Person, Richardson, Speight, Washington, and Willey—21.

Mr. Bynum now moved that the Senate adjourn; which was carried—Ayes 22, noes 18.

Those who voted in the affirmative are :

Messrs. Albright, Barrow, Brogden, Bunting, Bynum, Caldwell, Collins, Gilmer, Hargrave, Herriog, Hoke, W. Jones, Joyner, Kelly, Kerr, Lane, Murchison, Palmer, Shaw, Watson, Withers and Woodfin—22.

Those who voted in the negative are :

Messrs. Albritton, Berry, Bower, Boyd, Cannady, Cunningham, Drake, T. F. Jones, Lillington, McDowell, Mitchell, Murray, Person, Richardson, Speight, Thomas, Washington, and Willey.--18.

WEDNESDAY, Dec. 22, 1852.

Mr. W. Jones introduced a resolution in favor of P. F. Pescud; which was read the first time and passed, and, on motion, the rules were suspended, and the resolution read the second and third times, passed and ordered to be engrossed.

Mr. Withers introduced the following resolution, viz :

Resolved, That when a motion to adjourn has been rejected, a similar motion shall not be entertained until fifteen minutes have transpired.

Ordered to be laid on the table.

Mr. Clark offered the following resolution, viz :

Resolved, That a message be sent to the House of Commons, proposing to go into an election of seven Counsellors of State, to-day at 11 o'clock.

Which, on motion of Mr. Caldwell, was ordered to be laid on the table.

Mr. Clark moved that the resolution be now taken up for consideration.

Not agreed to.

Mr. Washington offered the following resolution, viz :

Resolved, That all engrossed bills of a private nature, engrossed in a fair hand, and free from omissions or inter-

lineations, which have passed both Houses, without amendment, shall be received as enrolled acts, and be ratified accordingly.

Agreed to.

The bill to amend the 9th section of the 39th chapter of the Revised Statutes, entitled an act concerning Divorce and Alimony, was read the third time, passed and ordered to be engrossed.

The bill to amend an act, entitled an act concerning Courts of Justice, Practice, Pleas and Process, was read the third time, and, on motion of Mr. Lillington, referred to the Committee on the Judiciary.

The bill concerning the Public Library was read the third time, passed and ordered to be engrossed.

The bill regulating the Fisheries in the Eastern part of the State was read the third time.

Mr Shaw moved that the bill be indefinitely postponed ; which was not agreed to.

The question now recurred on the passage of the bill, its third and last reading, and was determined in the affirmative—Ayes 24, noes 15.

Mr. Shaw demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albritton, Berry, Boyd, Cannady, Clark, Collins, Cowper, Drake, Gilmer, Herring, Joyner, Kelly, Kerr, Lillington, McMillan, Palmer, Person, Speight, Thompson, Ward, Watson, Withers, Willey and Woodfin—24.

Those who voted in the negative, are :

Messrs. Bower, Brogden, Bunting, Caldwell, Cunningham, Hargrave, T. F. Jones, W. Jones, McDowell, Murchison, Murray, Richardson, Shaw, Thomas, and Washington—15.

Ordered that the bill be engrossed.

On motion of Mr. McDowell,

Resolved, That the Senate will, at 11 o'clock to-day take up and consider the bill to lay off the State into eight Congressional Districts: After that matter is disposed of, the bill to apportion the members of the House of Commons, and the bill to lay off the Senatorial Districts; and that no other business will be considered until these bills are disposed of.

The following engrossed bill from the House of Commons was read the first time and passed, viz:

“A bill to appoint the time of the meeting of the General Assembly.” Under a suspension of the rules, the bill was read the second and third times, passed and ordered to be enrolled.

The Senate now proceeded to the consideration of the bill to lay off the State into eight Congressional Districts;

The question being on the bill reported by Mr. Gilmer, from the Select Committee.

Mr. Caldwell moved to amend the bill by adding Union to the 7th District and Cabarrus to the 6th District.

The question on the adoption of this amendment was decided in the affirmative—ayes 26, noes 19.

Mr. Lillington demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Watson and Withers—26.

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Parks, Richardson, Thompson, Washington, Willey, and Woodfin.—19.

Mr. Lillington moved to amend the bill as follows, viz :

“ *Add Mecklenburg and Union to the 6th District, and Rowan and Davie to the 7th District;*” which amendment was rejected—Ayes 18, noes 26.

Mr. Lillington demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albright, Albritton, Arendell, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Parks, Richardson, Thompson, Washington, Willey and Woodfin.—18.

Those who voted in the negative are :

Messrs. Barrow, Berry, Boyd, Bower, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Watson and Withers—26.

Mr. Cannady moved to amend the bill, by adding Granville to the 5th, and Chatham to the 4th, District.

Pending which,

A message was received from the House of Commons, announcing that they are now ready to receive the Sena-

tors in their Hall, for the inauguration of the Governor elect, according to the joint order.

The members of the Senate then repaired to the Hall of the House of Commons, and after the ceremony of inaugurating his Excellency, D. S. Reid, as Governor of the State, was concluded, they returned to the Senate chamber, and were called to order by the Speaker.

Received a message from the House of Commons, transmitting the following engrossed resolution, in which they ask the concurrence of the Senate, viz :

A resolution concerning the enrolling of private bills; which was read the first time and passed, and, under a suspension of the rules, read the second and third times, passed and ordered to be enrolled.

The Senate now resumed the consideration of the bill to lay off the State into eight Congressional Districts.

The question pending, being on the amendment of Mr. Cannady; which was rejected—Ayes 11 noes 33.

Mr. Cannady demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Berry, Brogden, Cannady, Cowper, Cunningham, Hoke, T. F. Jones, Kelly, Thompson, Washington and Willey—11.

Those who voted in the negative are :

Messr. Albright, Albrighton, Arendell, Barrow, Boyd, Bunting, Caldwell, Clark, Collins, Drake, Gilmer, Hargrave, Herring, W. Jones, Joyner, Kerr, Lane, Lottington, McLees, McDowell, McMillan, Muchell, Murchison, Murray, Parks, Person, Shaw, Speight, Thomas, Ward, Watson, Withers and Woodin—33.

On motion of Mr. Cunningham, the vote, by which the county of Union was added to the 7th, and the county of Cabarrus to the 6th District, was reconsidered and the amendment rejected.

The further consideration of the bill was temporarily arrested,

When, Mr. Caldwell moved that a message be sent to the House of Commons, proposing to vote forthwith for a Senator of the United States.

Mr. McDowell moved to lay the proposition on the table; which was carried—Ayes 26, noes 17.

Mr. Caldwell demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Albright, Albritton, Arendell, Barrow, Brogden, Cannady, Clark, Cowper, Cunningham, Glimer, T. F. Jones, Joyner, Kelly, Kerr, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Richardson, Thompson, Washington, Willey and Woodfin—26.

Those who voted in the negative, are:

Messrs. Berry, Bower, Boyd, Bunting, Caldwell, Drake, Hargrave, Herring, Hoke, W. Jones, Murchison, Person, Shaw, Speight, Thomas, Watson and Withers—17.

The Senate now resumed the consideration of the bill to lay off the State into eight Congressional Districts.

Pending the consideration of which,

The Senate took a recess until half-past 3 o'clock, P. M.

HALF-PAST THREE O'CLOCK.

Received a message from the House of Commons, proposing to go forthwith into an election for Counsellors of State; which was agreed to, and a message sent to the House of Commons, informing that Messrs. Cannady and Lane form the Senate's branch of the committee to superintend the election; and that Messrs. W. Stallings, W. K. Lane, P. Busbee, W. Hill, B. S. French, Archibald Henderson, Columbus Mills, J. W. Patton, G. F. Davidson, W. F. Leake, Cad. Jones, Sr., B. Lecraft, Josiah Granbury and A. H. Caldwell are in nomination.

Received a message from the House of Commons, proposing that that the two Houses go forthwith into an election for a Judge of the Superior Court, for the 7th Judicial Circuit; which, on motion of Mr. Speight, was laid on the table—Ayes 26, noes 19.

Those who voted in the affirmative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brøgden, Bunting, Caldwell, Cannady, Clark, Collins, Drake, Hargrave, Herring, Hoke, W. Jones, Joyner, Kerr, McDowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Watson and Withers—26

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Cowper, Cunningham, Gilmer, T. F. Jones, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Parks, Richardson, Thompson, Washington, Willey and Woodfin.—19.

The Senate resumed the consideration of the unfinished business of the morning, to wit :

The bill to lay off the State into eight Congressional Districts.

Mr. Lillington moved that the bill be laid on the table.

Upon a division, 19 were found voting in the affirmative and 19 in the negative. There being a tie, the Speaker voted in the negative, and the motion was lost.

Mr. Thompson moved to amend the bill, by striking out all after the enacting clause, and inserting the printed bill heretofore submitted by him.

After debate, and before any question was taken thereon,

A message was received from the House of Commons, informing that Messrs. George and Carmichael form their branch of the committee to superintend the election of Counsellors of State, and that the House would proceed to vote on the return of the messenger.

The Senate then voted as follows;

FOR MR. STALLINGS.

Messrs. Speaker, Albright, Boyd, Bunting, Barrow, Berry, Bower, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, Lane, McDowell, McMillan, Murchison, Parks, Person, Shaw, Speight, Thomas, Watson, Withers and Woodfin—30.

FOR MR. W. K. LANE.

Messrs. Speaker, Albright, Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, Lane, McDowell, McMillan, Murchison, Parks, Person, Shaw, Speight, Thomas, Watson, Withers and Woodfin—30.

FOR MR. BUSBEE.

Messrs. Speaker, Albright, Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, Lane, McDowell, McMillan, Murchison, Parks, Person, Shaw, Speight, Thomas, Watson, Withers and Brogden—30.

FOR MR. HILL.

Messrs. Speaker, Albright, Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, Lane, McDowell, McMillan, Murchison, Parks, Person, Shaw, Speight, Thomas, Watson, Withers and Brogden,—30.

FOR MR. FRENCH.

Messrs. Speaker, Albright, Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, Lane, McDowell, McMillan, Murchison, Parks, Person, Shaw, Speight, Thomas, Watson, Withers and Brogden,—30.

FOR MR. HENDERSON.

Messrs. Speaker, Albright, Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, Lane, Lillington, McDowell, McMillan, Murchison, Parks, Person, Shaw, Speight, Thomas, Watson, Withers and Brogden.—31.

FOR MR. MILLS.

Messrs. Speaker, Albright, Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, Lane, McDowell, McMillan, Murchison, Parks, Person, Shaw, Speight, Thomas, Watson, Withers and Brogden—30.

FOR MR. PATTON.

Messrs. Abritton, Arendell, Gilmer, T. F. Jones, Joyner, Kelly, Lillington, McClees, Mitchell, Murray, Richardson, Thompson, Willey, Woodfin and Washington,—15.

FOR MR. DAVIDSON.

Messrs. Abritton, Arendell, Gilmer, T. F. Jones, Joyner, Kelly, Lillington, McClees, Mitchell, Murray, Richardson, Thompson, Willey, Woodfin and Washington.—15.

FOR MR. LEAKE.

Messrs. Albritton, Arendell, Gilmer, T. F. Jones, Joyner, Kelly, McClees, Mitchell, Murray, Richardson, Thompson, Willey, Woodfin and Washington—14.

FOR MR. JONES.

Messrs. Albritton, Arendell, Gilmer, T. F. Jones, Joyner, Kelly, Lillington, McClees, Mitchell, Murray, Richardson, Thompson, Willey, Woodfin and Washington—15.

FOR MR. LECRAFT.

Messrs. Albritton, Arendell, Gilmer, T. F. Jones, Joyner, Kelly, Lillington, McClees, Mitchell, Murray, Richardson, Thompson, Willey, Woodfin and Washington—15.

FOR MR. GRANBURY.

Messrs. Gilmer, T. F. Jones, Kelly, Lillington, McClees, Mitchell, Murray, Thompson, Woodfin and Washington—10.

FOR MR. SMITH.

Messrs. Albritton, Arendell, Gilmer, T. F. Jones, Joyner, Kelly, Lillington, McClees, Mitchell, Murray, Richardson, Thompson, Willey, Woodfin and Washington—15.

FOR MR. PIPKIN.

Messrs. Albritton, Arendell, Joyner and Willey—4.

Mr. Berry voted for Mr. Kirkland ; and

Mr. Richardson voted for H. B. Hammons.

The Senate now resumed the consideration of the bill to lay off the State into eight Congressional Districts.

The pending question being on the amendment of Mr. Thompson.

After some time spent in debate; on motion of Mr. Bower, the bill was laid on the table.

Mr. Bower introduced the following resolution, viz :

Resolved, 'That a message be sent to the House of Commons, proposing to rescind the joint order to adjourn on to day, the 22d instant.

Mr. Lillington moved to amend the same by adding the following words, viz :

“And that the two Houses adjourn on Monday the 27th inst.”

Mr. McDowell moved to amend the amendment, by adding the words, “at the hour of 6 o'clock, A. M.”

Pending the consideration of which,

The Senate took a recess until half-past 7 o'clock

HALF-PAST SEVEN O'CLOCK.

Mr. Lane, from the committee appointed to superintend the election for seven Counsellors of State, reported that Whitmel Stallings, W. K. Lane, Perrin Busbee, Willam

Hill, B. S. French, Archibald Henderson and Columbus Mills, had each received a majority of the whole number of votes given, and are duly elected.

Report concurred in.

The Senate now resumed the consideration of the unfinished business of the last session, viz :

The proposition of Mr. Bower to send a message to the House of Commons, proposing to rescind the joint order for adjournment.

The question being on the amendment of Mr. McDowell to the amendment of Mr. Lillington.

The amendment to the amendment was withdrawn,

And Mr. Bower accepted the amendment of Mr. Lillington, as a modification of the original resolution.

Mr. T. F. Jones moved to amend the resolution, by striking out 27th, and inserting 28th.

Not agreed to.

The Resolution was then adopted—Ayes 29, noes 15.

Mr. Clark demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Caldwell, Canady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Kerr, Lane, Lillington, McDowell, McMillan, Mitchell Murchison, Parks, Person, Shaw, Thomas, Washington, Watson and Withers.
—29.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Bunting, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, McClees, Murray, Richardson, Speight, Thompson, Willey and Woodfin—15.

On motion of Mr. Bower, the Senate now took up for consideration, the bill to lay off the State into eight Congressional Districts.

The pending question being on the amendment of Mr. Thompson,

Mr. Bower called for a division of the question ; and the vote being taken on striking out, was determined in the negative—Ayes 18, noes 25.

Mr. Thompson demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Cannady, Cowper, Hoke, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Richardson, Shaw, Thompson, Washington and Willey—18.

Those who voted in the negative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Clark, Collins, Cunningham, Drake, Gilmer, Hargrave, Herring, W. Jones, Kerr, McDowell, McMillan, Murchison, Parks, Person, Thomas, Watson, Withers and Woodfin—25.

The question now recurred on the passage of the bill, on its second reading, and was decided in the affirmative—Ayes 26, noes 14.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Clark, Collins, Cunningham, Drake, Gilmer, Hargrave, Herring, W. Jones, Kerr, McDowell, McMillan, Murchison, Murray, Parks, Person, Thomas, Watson, Withers and Woodfin—26.

Those who voted in the negative, are:

Messrs. Albritton, Caldwell, Cannady, Cowper, Hoke, T. F. Jones, Kelly, Liddington, McClees, Richardson, Shaw, Thompson, Washington and Willey—14.

The Senate now proceeded to consider the Engrossed bill to apportion the representation of the House of Commons, among the several counties of this State; which was read the first time and passed. On motion of Mr. Woodfin, the rules were suspended, and the bill read the second time.

Mr. Bunting moved to amend the bill as follows, viz:

“Transfer the county of Chatham from those entitled to three members, to those entitled to two:

And the county of Franklin from those entitled to one member to those entitled to two.”

The amendment was rejected, and the bill passed its second reading.

The bill was then read a third time, under a suspension of the rules, passed, and ordered to be enrolled.

The bill to lay off the State, into fifty Senatorial Districts, was now taken up for consideration.

Mr. Bower moved that the bill be laid on the table.

Which was agreed to.

Mr. Hoke now moved to take up the amendments of the House of Commons, to the bill, to repeal the act passed in 1850-51, to establish a new county by the name of Jackson.

Which was agreed to.

Mr. Hoke moved that the Senate recede from their disagreement to the amendments of the House of Commons.

And the question—will the Senate recede? passed in the affirmative, and the amendments of the House were agreed to.

And the House of Commons were informed thereof.

Mr. McDowell moved a suspension of the rules, to take up the bill to lay off the State into eight Congressional Districts; which was carried,—ayes 23, noes 19.

Mr. Kelly demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albright, Barrow, Berry, Boyd, Brogden, Bunting, Canady, Clark, Collins, Cunningham, Drake, Gilmer, Herring, T. F. Jones, Kerr, McDowell, McMillan, Parks, Person, Richardson, Washington, Withers and Woodfin—23.

Those who voted in the negative are :

Messrs. Albritton, Bower, Caldwell, Cowper, Hoke, W. Jones, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Shaw, Thompson, Watson and Willey,—16.

The bill was then taken up and read the third time.

Mr. Hoke moved to amend the bill as follows, viz :

Add the county of Cabarrus to the 6th District.

After debate,

Mr. Cannady moved that the bill be laid on the table.

Which was agreed to.

The bill to lay off the State into fifty Senatorial District, was now taken up, and read the second time.

Mr. McClees moved to amend the bill as follows, viz :

Strike out Washington, from the fourth district, and add it to the 8th District.

Which amendment was rejected—Ayes 19, noes 21.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albright, Arendell, Caldwell, Cowper, Gilmer, T. F. Jones, Kelly, Lane, Lillington, McClees, McMillan, Mitchell, Murray, Parks, Richardson, Thompson, Washington, Willey and Woodfin—19.

Those who voted in the negative are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Cannady, Cunningham, Drake, Hargrave, Hoke, W. Jones, Kerr, Murcdison, Person, Shaw, Speight, Thomas, Watson and Withers—21.

The bill then passed its second reading.

The engrossed bill to amend an act, to incorporate the Washington Mining Company, passed in the year 1838-9,

and amended in 1850-1, was taken up, and, on motion of Mr. Woodfin, read the third time, passed, and ordered to be engrossed.

On motion of Mr. Person, the Senate now proceeded to consider the engrossed bill to authorize the union of the Greenville and Roanoke Railroad company, with the Petersburg Railroad Company; which was read the second time and passed. On motion of Mr. Person, the rules were suspended, and the bill read the third time, passed, and ordered to be engrossed.

The engrossed bill to prevent the stealing, taking, or conveying away slaves, was read the second time and passed. On motion of Mr. Woodfin, the rules were suspended, and the bill read the third time, passed, and ordered to be enrolled.

On motion of Mr. Hoke, the Senate took up the engrossed resolution to furnish the Governor's residence; which was read the second time and passed. On motion the rules were suspended, and the resolution read the third time, passed, and ordered to be enrolled.

The engrossed bill concurring the official bonds of Sheriffs, Coroners and Constables, was read the second time, and on motion, ordered to be laid on the table.

The engrossed bill to prevent live stock from malicious destruction, was now taken up, and, on motion, laid on the table.

The engrossed bill to facilitate the recovery of debts due from non-resident debtors, under a suspension of the rules, was read the second and third times, passed, and ordered to be enrolled.

The engrossed bill to provide for the holding of an extra term of the Superior Court of Wake, was read the second time and passed. On motion, the rules were suspended, and the bill read the third time, amended, and a message sent to the House of Commons, asking their concurrence in the amendments of the Senate.

The engrossed bill to protect the rights of persons owning personal property in common, was read the second time and passed, and the rules suspended, and said bill read the third time, passed, and ordered to be enrolled.

The engrossed bill to incorporate the Salisbury, Mocksville and Wilkeshoro' Plank Road company, was read the second time and passed. The rules being suspended, the bill was read the third time, passed, and ordered to be enrolled.

Received a message from the House of Commons, proposing, on condition, that the Senate will agree that both Houses of the General Assembly adjourn on to-morrow at 12 o'clock *sine die*, to rescind the joint order for adjournment on this, the 22d instant, and that the two Houses adjourn *sine die*, on to-morrow, at 12 o'clock.

The engrossed resolution, in favor of Door-Keepers, under a suspension of the rules, was read the first, second and third times, passed and ordered to be enrolled.

The bill to incorporate a company to construct a Railroad from some point on the Cape Fear River, at or near Fayetteville, to some point in the coal region, hereafter to be determined, was read the second time.

Mr. Clark moved to amend the bill by striking out the 22d section of the same.

Not agreed to.

The bill then passed its second reading.

On motion of Mr. Bower, the rules were suspended, and the bill was read the third time, passed and ordered to be enrolled.

Mr. Woodfin, with leave, introduced a bill to provide for holding the County and Superior Courts, in the seventh Judicial Circuit; which was read the first time and passed. The rules being suspended, said bill was read the second time.

Mr. Mitchell moved to amend the bill by striking out the time of holding the County Court of Caldwell; which was not agreed to.

The bill then passed its second reading. Under a suspension of the rules, said bill was read the third time, passed and ordered to be engrossed.

Mr. Brogden, from the Committee on Propositions and Grievances, to whom was referred a resolution authorizing the Governor to furnish the Clerk of the County Court of Union, with the standard of weights and measures, reported the same back to the Senate, and recommended its passage.

The resolution was read the second time and passed.

Mr. Brogden, from the same committee, to whom was referred the engrossed bill to authorize John B. Gardner to collect arrearages of taxes in the county of Yancy, for the year 1850, reported the same back to the Senate, and recommended its passage.

Ordered to lie on the table.

On motion of Mr. Lillington, the Senate now adjourned until to-morrow morning, half-past 9 o'clock.

THURSDAY, Dec. 23, 1852.

The bill to lay off the State into fifty Senatorial Districts, being now taken up, Mr. Caldwell offered an amendment to the same; which provides for the re-enactment of the Senatorial Districts of 1842.

The question on the amendment was determined in the affirmative—Ayes 30, noes 12.

Mr. Thompson demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albright, Arendell, Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Clark, Collins, Cunningham, Drake, Gilmer, Hargrave, Herring, Hoke, W. Jones, Joyner, Kelly, Lane, McClees, McDowell, McMillan, Murchison, Palmer, Richardson, Speight, Thomas, Ward and Withers—30.

Those who voted in the negative are :

Messrs. Albritton, Brogden, Cannady, Cowper, T. F. Jones, Lillington, Murray, Person, Shaw, Thompson, Washington and Willey—12.

Mr. Kelly moved to lay the bill on the table till 11 o'clock; which was not agreed to.

The question now recurred on the passage of the bill, its third and last reading, and was determined in the affirmative—Ayes 29, noes 13.

Mr. Thompson demanded the ayes and nays.

Those who voted in the affirmative are :

Messrs. Albright, Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Collins, Cunningham, Drake, Gilmer, Hargrave, Herring, Hoke, W. Jones, Joyner, Kelly, Lane, McClees, McMillan, McDowell, Murchison, Palmer, Richardson, Speight, Thomas, Ward, Withers, and Woodfin—29.

Those who voted in the negative are :

Messrs. Albritton, Brogden, Cannady Clark, Cowper, T. F. Jones, Lillington, Murray, Person, Shaw, Thompson, Washington and Willey—13.

So the bill passed its third and last reading, and was ordered to be engrossed.

Mr. Bower moved a suspension of the rules to introduce a resolution, to rescind the joint order for adjournment ; which was agreed to.

Mr. Bower then offered the following resolution, viz :

Resolved, That the Senate propose that the two Houses agree to rescind the joint order, proposing to adjourn on this day at 12 M. and that they do adjourn on Monday the 27th instant.

The resolution was agreed to—Ayes 33, noes 10.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albritton, Barrow, Betry, Bower, Boyd, Brogden, Bunting, Cannady, Clark, Collins, Cunningham, Drake, Gilmer, Hargrave, Herring, T. F. Jones, W. Jones, Joyner, Lillington, McMillan, Mitchell, Murchison, Murray, Parks, Person, Shaw, Speight, Thomas, Ward, Washington, Watson, Withers and Woodfin--33.

Those who voted in the negative are :

Messrs. Albright, Arendell, Cowper, Hoke, Kelly, McClees, Palmer, Richardson, Thompson, and Willey.--10.

Mr. Drake reported back the resolution in favor of W. W. Green, &c, and recommended its rejection,

Ordered to lie on the table.

The bill to lay off the State into eight Congressional Districts, was now taking up for its third reading,

The pending question being on the amendment of Mr. Hoke, to add the county of Cabarrus to the 6th District.

The amendment was rejected—Ayes 11, noes 26.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Berry, Bower, Brogden, Cannady, Cowper, Hargrave, Hoke, W. Jones, McMillan, Shaw and Thompson--11.

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Boyd, Bunting, Clark, Cunningham, Drake, Gilmer, Herring, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Palmer, Richardson, Speight, Ward, Willey, Woodfin, Washington, Watson, and Withers.--26.

Mr. Hoke moved to amend the bill by adding *Union* to the 7th District; which was disagreed to—Ayes 9, noes 29.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Berry, Brogden, Caldwell, Cannady, Cowper, Hargrave, Hoke, W. Jones and Shaw—9.

Those who voted in the negative are :

Messr. Albright, Albritton, Arendell, Boyd, Bunting, Clark, Cunningham, Drake, Gilmer, Herring, T. F. Jones, Joyner, Kelly, Lane, Lullington, McClees, McMillan, Mitchell, Murray, Palmer, Parks, Person, Richardson, Speight, Washington, Watson, Withers, Willey and Woodfin—29.

Mr. Thompson moved to amend the bill by adding Northampton to the 1st District.

Pending the consideration of which,

A message was received from the House of Commons, concurring in the proposition of the Senate to rescind the joint order to adjourn to day at 12 o'clock, and agreeing that the two Houses adjourn on Monday next.

The Senate resumed the consideration of the amendment of Mr. Thompson, to the bill to lay off the State into eight Congressional Districts, viz : "Add Northampton to the 1st Distristrict."

Mr. Hoke moved to amend the amendment of Mr. Thompson, as follows : Add the county of Beaufort to the second District.

Mr. Woodfin moved to lay the bill and amendments on the table ; which was agreed to.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed

bills and resolutions, in which they ask the concurrence of that body, viz :

A bill to incorporate Neuse River and Snow Hill Plank Road Company :

A bill to incorporate the Upper Little River Navigation Company, in the county of Cumberland:

A bill to incorporate the town of Winston :

A resolution in favor of Bynum W. Bell : and

A resolution in favor of P. F. Pescud.

Mr. W. Jones introduced a resolution in favor of S. H. Young, &c.; which was read the first time and passed, and, on motion of Mr. Cunningham, referred to the Committee on Claims.

Mr. Gilmer offered a resolution in favor of W. A. Walsh; which was read the first time and passed, and, on motion, referred to the Committee on Claims.

The engrossed bill in favor of John Smith was read the second time.

Mr. Bynum moved to postpone its further consideration until half-past 5 o'clock.

Not agreed to.

The bill then passed its second reading.

The engrossed bill to amend an act, passed at the session of 1850 '51, entitled an act to incorporate the Greenville and Raleigh Plank Road company; and

The engrossed bill to incorporate the Locksville and Hillsboro' Plank Road company, were severally read the second time and passed.

The engrossed bill to incorporate the Mutual Insurance company, in the town of Fayetteville, was read the second time and passed.

Received a message from the House of Commons, proposing that the two Houses go into an election for a Judge of the Superior Court of Law and Equity, this day at half-past 1 P. M., for the 7th Judicial Circuit.

On motion of Mr. Person, the message was laid upon the table—Ayes 24, noes 14.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Cannady, Clark, Collins, Drake, Hargrave, Herring, Hoke, W. Jones, Joyner, McDowell, McMillan, Murchison, Person, Shaw, Speight, Washington, Watson and Withers—24.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Cowper, Cunningham, Gilmer, T. F. Jones, Kelly, Lane, McClees, Murray, Parks, Thompson, Willey, and Woodfin—14.

On motion of Mr. Kelly, leave of absence was granted to Messrs. Richardson and Palmer, from and after to-morrow, for the residue of the session.

Mr. Clark introduced the following resolution, viz :

Resolved, That a message be sent to the House of Commons, proposing to go into an election for Judge of the third Judicial District, at 4 o'clock P. M.

Mr. Lillington moved to strike out 3d and insert 7th.

Mr. McDowell called for a division of the question, and the vote being first taken on striking out, was determined in the affirmative.

The question now recurred on the motion of Mr. Livingston to insert 7th.

Pending which,

The Senate took a recess until half-past three o'clock P. M.

HALF-PAST 3 O'CLOCK.

Mr. Drake, from the Committee on Claims, to whom was referred a resolution in favor of W. A. Walsh, &c.,

And a resolution in favor of Sam'l H. Young, &c., reported the same back to the Senate, and recommended their passage.

Ordered to lie on the table.

On motion of Mr. Washington, the Senate took up the bill to amend the several acts of the General Assembly in relation to the Deaf and Dumb, &c, which was read the second time, amended and passed. On motion, the rules were suspended, and the bill read the third time, passed, and ordered to be engrossed.

The Senate now resumed the consideration of the unfinished business of the morning, viz :

The resolution of Mr. Clark, proposing that the two House go into an election for a Judge, at 4 o'clock, P. M.

The pending question being on Mr. Lillington's motion to amend the resolution by inserting the word 7th; which was rejected—Ayes 15, noes 25.

Mr. Thompson called for the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Arendell, Cowper, Gilmer, T. F. Jones, Lane, Lillington, Mitchell, Murray, Parks, Thompson, Washington, Willey, and Woodfin—15.

Those who voted in the negative are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, Joyner, Kelly, McClees, McDowell, McMillan, Murchison, Person, Shaw, Speight, and Withers—25.

On motion of Mr. Clark, ordered that the resolution be laid on the table.

Received a message from the House of Commons, informing that they agree to the amendments of the Senate, to the bill to amend an act, to incorporate the Raleigh and Gaston Railroad company.

Ordered that the bill be enrolled.

Mr. Hoke moved that a message be sent to the House of Commons, proposing to go into an election of U. S. Senator to morrow at 12, o'clock.

Which proposition was disagreed to—ayes 18, noes 22.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Berry, Bower, Bunting, Cannady, Clark, Collins, Cunningham, Hargrave, Herring, Hoke, Joyner, McDowell, McMillan, Person, Shaw, Speight, Thomas, and Withers--18.

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Barrow, Boyd, Brogden, Cowper, Drake, Gilmer, T. F. Jones, W. Jones, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Parks, Thompson, Washington Willey and Woodfin--22.

Mr. Shaw presented the following resolution, viz :

Resolved, That a message be sent to the House of Commons, proposing to go into an election for a Judge of the Superior Court for the 3d Judicial Circuit, to morrow morning at 11 o'clock.

Which was rejected--ayes 18, noes 21.

The yeas and nays being demanded,

Those who voted in the affirmative are :

Messrs. Albright, Albritton, Barrow, Berry, Bower, Boyd, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, W. Jones, Joyner, Person, Shaw, Speight, and Withers--18.

Those who voted in the negative are :

Messrs. Arendell, Brogden, Bunting, Cowper, Gilmer, Herring, Hoke, T. F. Jones, Kelly, Lane, Lillington, McDowell, McMillan, Mitchell, Murchison, Murray, Parks, Thompson, Washington, Willey and Woodfin--21.

Mr. McDowell moved that a message be sent to the House of Commons proposing to vote for Judge of the Superior Court to morrow at 11 o'clock.

Mr. Person moved to amend the resolution, by inserting 5th Circuit :

Which was not agreed to—Ayes 18, noes 22.

Mr. Cannady demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Abritann, Barrow, Berry, Bower, Boyd, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, W. Jones, Joyner, McClees, Person, Shaw, Speight, and Withers—18.

Those who voted in the negative are :

Messrs. Albright, Arendell, Brogden, Bunting, Cowper, Gilmer, Herring, Hoke, T. F. Jones, Kelly, Lane, Lillington, McDowell, McMillan, Mitchell, Murchison, Murray, Parks, Thompson, Washington, Willey, and Woodfin—22.

The resolution was then rejected.

Mr. Gilmer presented the following resolution, viz :

Resolved, That a message be sent to the House of Commons, proposing to go into the election of Superior Court Judge, on to morrow at 11 o'clock A. M. The said Judge to be located as the assembly at its present session may determine by resolution.

Mr. T. F. Jones moved to amend the resolution by striking out all after the words, "11 o'clock, A. M." and inserting "*for the first Judicial Circuit.*"

Which motion was rejected—Ayes 15, noes 25.

Mr. T. F. Jones demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Barrow, Boyd, Clark, Cowper, T. F. Jones, McClees, Mitchell, Murray, Person, Shaw, Thompson, Washington and Willey—15.

Those who voted in the negative, are :

Messrs. Arendell, Berry, Bower, Brogden, Bunting, Cannady, Collins, Cunningham, Drake, Glimer, Hargrave, Herring, Hoke, W. Jones, Joyner, Kelly, Lane, Lillington, McDowell, McMillan, Murchison, Parks, Speight, Withers and Woodfin—25.

On motion of Mr. Cunningham, the resolution was laid on the table.

Mr. Woodfin, with leave, introduced a bill relating to Common Schools, in Madison county ; which was read the first time and passed, and, on motion, the rules were suspended, and the bill read the second and third times, passed and ordered to be engrossed.

The Senate now took up for consideration, the bill to lay off the State into eight Congressional Districts;

The question being on the amendment to the amendment, offered by Mr. Hoke, which proposes to add the county of Beaufort to the second District.

Mr. Hoke withdrew his amendment to the amendment.

The question now recurred on the amendment of Mr. Thompson, viz: "*Add Northampton to the first District,*" and was determined in the negative—Ayes 14, noes 24.

Mr. Thompson demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Arendell, Cowper, Herring, Hoke, T. F. Jones, Joyner, Lillington, McClees, Shaw, Thompson, Washington and Willey—14

Those who voted in the negative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Cannady, Clark, Collins, Cunningham, Drake, Gilmer, Hargrave, W. Jones, Lane, McDowell, McMillan, Mitchell, Murchison, Murray, Person, Speight, Withers and Woodfin—24.

Mr. Hoke moved to amend the bill by adding Beaufort to the 2nd District; which was rejected—Ayes 14, noes 24.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albright, Cannady, Clark, Cowper, Drake, Hargrave, Herring, Hoke, T. F. Jones, Shaw, Speight, Thompson, Washington and Willey—14.

Those who voted in the negative are :

Messrs. Albritton, Arendell, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Collins, Cunningham, Gilmer, W. Jones, Joyner, Kelly, Lane, McClees, McDowell, McMillan, Mitchell, Murchison, Murray, Person, Withers and Woodfin—24.

The question now recurred on the passage of the bill its third reading.

The bill was amended, on motion of Mr. Gilmer, by filling up the blanks in the same:

Mr. Kelly moved further to amend the bill as follows :
"Add the county of Moore to the 6th District."

Which amendment was rejected—Ayes 9, noes 27.

Mr. Kelly demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Cannady, Clark, Cowper, Hoke, Joyner, Kelly, Thompson, Washington, and Withers,—6.

Those who voted in the negative are :

Messrs. Albright, Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Collins, Cunningham, Drake, Gilmer, Hargrave, Herring, T. F. Jones, W. Jones, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Person, Shaw, Speight, and Withers—27.

Mr. Kelly moved to amend the bill by striking the county of Richmond from the 3rd District, and adding it to the 6th.

Which was rejected—Ayes 9, noes 26.

Mr. Kelly demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albritton, Cowper, Hoke, T. F. Jones, Joyner, Kelly, Thompson, Washington, and Willey—9.

Those who voted in the negative are :

Messrs. Albright, Barrow, Berry, Boyd, Brogden, Bunting, Cannady, Clark, Collins, Cunningham, Drake, Gilmer, Hargrave, Herring, W. Jones, Lane, Lillington, McClees, McMillan, Mitchell, Murray, Person, Shaw, Speight, Withers and Woodfin—26.

Mr. Hoke moved to amend the bill, by adding Guilford to the 5th District.

Which was rejected—Ayes 8, noes 26.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albright, Cowper, Hoke, Thompson, Kelly, Speight, Washington and Willey—8.

Those who voted in the negative are :

Messrs. Albright, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Cannady, Collins, Cunningham, Drake, Gilmer, Hargrave, Herring, T. F. Jones, Joyner, Lane, Lillington, McClees, McMillan, Mitchell, Murray, Person, Shaw, Withers and Woodfin—26.

The Senate now took a recess, until half-past seven o'clock.

HALF-PAST SEVEN O'CLOCK.

The Senate now resumed the consideration of the unfinished business of the last session, viz :

“The bill to lay off the State into eight Congressional Districts.”

The question being on the passage of the bill, its third and last reading,

Mr. Hoke moved that the bill be laid on the table.

Which motion was agreed to.

Mr. Gilmer moved for a suspension of the rules, to enable him to introduce the previous question.

Which motion did not prevail.

Received a message from the House of Commons, transmitting the following engrossed bill, in which they ask the concurrence of the Senate, viz :

“A bill to lay off the State into fifty Senatorial districts;”

Which was read the first time and passed.

The engrossed bill to incorporate the Atlantic and North Carolina Railroad company, and the North Carolina and Western Railroad company, was read the first time and passed.

The engrossed bill to incorporate Robeson Institute, in the county of Robeson, and for other purposes, was read the first time and passed.

On motion of Mr. Murchison, the rules were suspended, and the bill read the second and third times, passed and ordered to be enrolled.

The engrossed bill to repeal the 85th chapter of the statute, passed at the session of 1850-'51, was read the first time and passed.

The engrossed bill to authorise James C. Turrentine, sheriff of Orange county, to collect arrears of taxes due him, was read the first time and passed.

On motion of Mr. Berry, the rules were suspended, and the bill read the second time, and amended, on motion of Mr. Berry.

Mr. Drake moved further to amend, by extending the provisions of the bill to the sheriff of Nash county.

On motion of Mr. McClees, the bill and amendment were indefinitely postponed.

The engrossed bill to amend an act, entitled an act to incorporate the Roanoke Valley Railroad company, was read the first time and passed.

The engrossed bill to amend an act of 1848-'9, chapter 57, entitled an act to confer on County Courts certain powers over imprisoned lunatics, was read the first time and passed.

The engrossed bill to amend an act, entitled an act to incorporate a Bank in the town of Washington, in the county of Beaufort, passed at the last session of the General Assembly, was read the first time and passed.

On motion, the rules were suspended, and said bill read the second and third times, passed and ordered to be enrolled.

The following engrossed bills were severally read the first time and passed, viz :

A bill to establish the Merchants' and Planters' Bank of Wilmington ;

A bill to extend the power of the Commissioners of Navigation, for the port of Washington ;

A bill to lay off a public road from Enock Vannay's Mill, in Wilkes county, to the Virginia line ;

A bill to improve the public road leading from Holeman's Ford, on the Yadkin River, in Wilkes county, by way of the Deep Gap of the Blue Ridge, at Solomon Green's, and the Rich Mountain, near Welsh's Store, to the Tennessee line;

A bill to amend an act passed at the session of 1848-'49, entitled an act to provide for the establishment of a State Hospital for the insane in North Carolina, and an act supplemental to the same;

A bill to incorporate the North Carolina Steam Carriage Plank Road Company;

A bill to prevent the obstructions to the passage of Fish in the waters of Blunt's Creek, and its tributary streams;

A bill for the protection of boats, canals, coasting and sea vessels: and

A bill to incorporate the Fayetteville Ice Company;

The engrossed resolution in favor of Thomas Latham, was read the first time and passed, and, on motion, referred to the Committee on Claims.

The engrossed bill to grant to the city of Raleigh a certain lot of land, to be added to the burial ground of said city, was read the first time and passed, and, on motion, referred to the Committee on Propositions and Grievances.

The engrossed resolutions concerning a road through Purgoo Swamp was read the first time and passed.

The engrossed bill to incorporate the Washington and Tarboro Plank Road Company, was read the first time and passed.

Mr. Drake, from the Committee on Claims, to whom was referred the resolution in favor of Thomas Latham, reported the same back to the Senate, and recommended its passage.

The resolution, under a suspension of the rules, was read the second and third times, passed and ordered to be enrolled;

Under a suspension of the rules, the engrossed bill in favor of John Smith was read the third time, passed and ordered to be enrolled.

The engrossed bill to establish a public road from the stage road, at Jones Burket's, in Ashe county, to the Three Top Fork road, was read the first time and passed.

Mr. Watson moved an adjournment ; which was not agreed to—Ayes 8, noes 20.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Berry, Bower, Brogden, Bunting, Hargrave, Hoke, Murchison and Watson—8.

Those who voted in the negative, are :

Messrs. Albright, Arendell, Barrow, Boyd, Cannady, Clark, Gilmer, T. F. Jones, Lane, McClees, McDowell, McMillan, Murray, Person, Speight, Thompson, Washington, Withers, Willey and Woodfin—20.

Received a message from the House of Commons, stating that they have passed the engrossed bill from the Senate to provide for paying tales jurors, in the counties of Northampton and Wake.

Also, the Senate bill to confirm the establishment of the county of Yankin, with amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of that body, viz :

A bill regulating the Fisheries in the Eastern part of the State;

A bill to amend the several acts of the Assembly in relation to the Deaf, and Dumb, and the Blind; and

A bill to provide for holding the County and Superior Courts; in the seventh Judicial Circuit.

The resolution authorizing the Governor to furnish the Clerk of the County Court of Union, with the standard of weights and measures, was read the second time and passed.

The bill to incorporate the Mutual Insurance Company, in the town of Fayetteville, was read the third time, under a suspension of the rules, passed and ordered to be enrolled.

Mr. Kelly moved that the Senate do now adjourn; which motion was disagreed to—Ayes 12, noes 21.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Berry, Bower, Brogden, Bunting, Clark, Hargrave, Hoke T. F. Jones, Kelly, Murchison, Shaw and Watson—12.

Those who voted in the negative are :

Messr. Albritton, Arendell, Barrow, Boyd, Cannady, Cunningham Drake, Gilmer, Lane, Lollington, McClees, McDowell, McMillan, Murray, Person, Speight, Thompson, Washington, Withers, Willey and Woodfin—21.

On motion, the Senate adjourned.

FRIDAY, Dec. 24th, 1852.

Mr. Joyner introduced the following resolution, which was adopted, viz ;

Resolved, That the Clerk be directed to make up the estimates of pay and mileage due to the members of the Senate for their service the present session, to Monday next, inclusive.

The resolution in favor of S. H. Young, &c., was read the second time, amended and passed. On motion, the rules were suspended and said resolution read the third time, passed and ordered to be engrossed.

The resolution in favor of W. A. Walsh, was read the second time and passed, and, under a suspension of the rules, read the third time, passed and ordered to be engrossed.

Mr. McDowell offered the following resolution, viz :

Resolved, That a message be sent to the House of Commons, proposing to go into an election for Judge of the Superior Court at 12 o'clock this day, and that the Legislature will designate the Circuit to be filled by resolution.

On motion of Mr. Clark, ordered that the resolution be laid on the table.

The engrossed bill to prevent the filling and putting of timber in Hogan's creek, in the county of Rockingham, was read the first, second and third times, under a suspension of the rules, passed and ordered to be enrolled.

The engrossed resolution in favor of W. W. Green, &c., was read the second time, and, on motion, laid on the table.

The engrossed bill to authorize J. B. Gardner to collect arrearages of taxes in the county of Yancy, for 1850, was read the second time, and, on motion of Mr. Cunningham, indefinitely postponed.

The engrossed bill to change the name of the county seat of Yadkin county, was read the second and third times, under a suspension of the rules, passed and ordered to be enrolled.

The engrossed bill to incorporate the town of New Salem, in the county of Randolph, was read the second time and passed.

Mr. Gilmer, from the Judiciary Committee, reported a resolution in favor of P. Busbee, and others, which was read the first time and passed.

The bill to incorporate the Seaman's Friend Society, was taken up, and, on motion of Mr. Clark, laid on the table.

The engrossed resolution in favor of W. R. Lovell was read the second time and passed, and, under a suspension of the rules, read the third time, passed and ordered to be enrolled.

The engrossed resolution as to the bar at the mouth of Cape Fear River, under a suspension of the rules, was read the second and third times, passed and ordered to be enrolled.

The engrossed bill on jury trials, in the County Courts of Columbus, was read the second time, amended and passed. The rules being suspended, said bill was read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the Senate's amendment.

The engrossed bill to repeal in part the 5th section of an act, of 1850-51, entitled an act, to establish a Superior Court of law and equity in the county of Watauga, was read the second time and passed.

The engrossed bill to incorporate the Lumberton and Columbus Plank Road Company, under a suspension of the rules, was read the second and third times, passed, and ordered to be enrolled.

The engrossed resolution, concerning Interventions, were read the second time.

Mr. Withers moved that said resolutions be indefinitely postponed, which motion was disagreed to—Ayes 10, noes 28.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Boyd, Bunting, Clark, Drake, Herring, W. Jones, Murchison, Speight, Watson, and Withers—10.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Barrow, Berry, Bower, Brogden, Cannady, Collins, Cowper, Cunningham, Gilmer, Hargrave, Hoke, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McMillan, Mitchell, Murray, Parks, Thompson, Washington Willey and Woodfin—28.

Mr. Hoke now moved to lay the resolutions on the table which was carried—ayes 22, noes 20.

Mr. McClees demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Barrow, Berry, Bower, Boyd, Bunting, Caldwell, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, W. Jones, McDowell, McMillan, Murchison, Shaw, Speight, Thomas, Watson, and Withers—22.

■ Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Brogden, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Parks, Thompson, Washington, Willey and Woodfin—20.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills and resolutions, in which they ask the concurrence of that body, viz :

A bill to amend the charater of the Nense River Navigation company :

A bill to incorporate the New River Canal company :

A bill to lay off and establish a public road from Lincoln to Greenville, &c :

A bill to repeal the 9th section of the 42d chapter of the Revised Statutes, entitled entries and grants :

A resolution in relation to selling railroad iron :

And a resolution concerning the public arms.

The Sanate now took up the bill, to lay off the State into eight Congressional Districts.

Which, on motion of Mr. Cunningham, was laid on the table.

On motion of Mr. Cunningham, the engrossed bill to lay off the State into fifty Senatorial Districts was now taken up, and read the second time.

Mr. Boyd moved to amend the bill as follows, viz :

"Transfer Stanly to Anson, and Union to Cabarrus."

The question on this amendment was determined in the affirmative—Ayes 23, noes 20.

Mr. Berry demanded the ayes and nays.

Those who voted in the affirmative are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Hargrave, Herring, Hoke, W. Jones, McDowell, McMillan, Person, Shaw, Speight, Thomas, Watson, Drake, and Withers—23.

Those who voted in the affirmative are:

Messrs Albright, Arendell, Albritton, Bynum, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murray, Parks, Thompson, Washington, Willey, and Woodfin—20.

Mr. Cunningham moved that the bill be laid on the table until half-past 3 o'clock.

Not agreed to.

Mr. Lillington moved further to amend the bill, viz :

"Strike out Davie from the 41st District and attach it to the county of Davidson."

Pending the consideration of which amendment,

The Senate took a recess until half-past 3 o'clock.

HALF-PAST 3 OCLOCK.

The engrossed resolution in favor of George Little, was read the first time and passed, and, on motion of Mr. Boyd, referred to the Committee on Claims.

The engrossed bill to incorporate the Wilmington Cemetery, was read the first time and passed.

Received a message from the the House of Commons, transmitting the report of the Cape Fear Navigation company, with a proposition to print the same.

Concurred in.

The engrossed bill concerning the militia of Rutherford county was read the first time and passed.

On motion of Mr. Thompson,

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of two members on the part of each House, to report which one of the vacant Judicial Circuits, it is most expedient and proper, to elect a Judge of the Superior Court of law and equity to reside in, under the provisions of the law passed at the session of the General Assembly, held in the years 1848-9, in relation thereto—there being now a vacancy created by the resignation of Judge Battle.

The Senate now resumed the consideration of the unfinished business of the morning, viz :

The engrossed bill to lay off the State into fifty Senatorial Districts.

The pending question, being on the amendment of Mr. Lillington, viz :

Strike out *Davie* from the 41st District, and attach it to *Davidson*.

The amendment was withdrawn.

Mr. Caldwell now moved a reconsideration of the vote, by which, the amendment of Mr. Boyd, transferring the county of Stanly to Anson, and Union to Cabarrus, was adopted.

Which was agreed to.

The question now recurred on the adoption of the amendment, and was decided in the negative—Ayes 17, noes 24.

Mr. Berry demanded the ayes and nays.

Those who voted in the affirmative are :

Messrs. Barrow, Berry, Boyd, Brogden, Bunting, Cannady, Collins, Drake, Hargrave, Herring, Hoke, W. Jones, Person, Shaw, Speight, Thomas, and Withers,—17.

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Bower, Bynum, Caldwell, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Parks, Thompson, Washington Willey and Woodfin—24.

So the amendment was rejected.

The question now recurred on the passage of the bill, its second reading.

Mr. Berry moved to amend the bill by striking out all after the enacting clause, and inserting the printed bill heretofore introduced by Mr. Boyd in lieu thereof.

Mr. Lillington called for a division of the question:

And the vote being first taken on striking out, was decided in the negative—Ayes 13, noes 29.

Mr. Lillington demanded the ayes and nays.

Those who voted in the affirmative are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Drake, Hargrave, W. Jones, Person, Speight, Watson, and Withers—13.

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Bynum, Caldwell, Canady, Clark, Collins, Cowper, Cunningham, Gilmer, Herring, Hoke, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Parks, Shaw, Thompson, Washington, Willey and Woodfin—29.

Mr. Berry moved to amend the bill as follows :

Seperate Alamance and Randolph into independent Districts, and place Onslow, Carteret and Jones in one District.

The amendment was rejected—Ayes 10, noes 29.

Mr. Berry demanded the ayes and nays.

Those who voted in the affirmative are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Drake, W. Jones, Person, Watson, and Withers—10.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Bunting, Bynum, Caldwell, Cannady, Collins, Cowper, Cunningham, Gilmer, Herring, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Parks, Shaw, Speight, Thompson, Washington, Willey and Woodfin—29.

Mr. Berry moved to amend the bill as follows :

“ Separate Alamance and Randolph, and connect Alamance with Rockingham.”

Which amendment was rejected—ayes 6, noes 34.

Mr. Berry demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Berry, Drake, Hoke, Speight, Watson and Withers—6.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Barrow, Bower, Boyd, Brogden, Bynum, Caldwell, Cannady, Clark, Collins, Cowper, Cunningham, Gilmer, Hargrave, Herring, W. Jones, Joyner, Kelly, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Parks, Person, Shaw, Thompson, Washington, Willey and Woodfin—34.

The question now recurred on the passage of the bill, its second reading, and was determined in the affirmative—Ayes 29, noes 13.

Mr. Berry called for the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Arendell, Bower, Bynum, Caldwell, Cannady, Collins, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Parks, Shaw, Thomas, Thompson, Washington, Willey, Watson and Woodfin—29.

Those who voted in the negative are :

Messrs. Barrow, Berry, Boyd, Brogden, Bunting, Drake, Hargrave, Herring, Hoke, W. Jones, Person, Speight, and Withers—13.

Mr. McDowell moved that the rules be suspended, and the bill read the third and last time.

Which was agreed to—Ayes 28, noes 14.

Mr. Berry demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albright, Albritton, Arendell, Bower, Bynum, Caldwell, Cannady, Collins, Cowper, Cunningham, Gilmer, Hoke, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Parks, Shaw, Thompson, Washington, Willey and Woodfin—28.

Those who voted in the negative are :

Messrs. Barrow, Berry, Boyd, Brogden, Bunting, Clark, Drake, Hargrave, Herring, W. Jones, Person, Speight, Watson and Withers—14.

The bill was then read the third time and passed—Ayes 27, noes 14.

Mr. Berry demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albright, Albritton, Arendell, Bynum, Caldwell, Cannady, Collins, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Parks, Shaw, Thomas, Thompson, Washington, Willey and Woodfin—27.

Those who voted in the negative are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Drake, Hargrave, Herring, Hoke, Person, Speight, Watson and Withers—14.

Ordered to be enrolled.

Received a message from the House of Commons, agreeing to the proposition of the Senate to raise a Joint Select Committee of two on the part of each House, to report on the election of the circuit in which the Judge is to be elected, shall reside, &c; and informing that their committee consists of Messrs Spruill and Wheeler.

Whereupon, Messrs. Cunningham and Albright were appointed the committee on the part of the Senate, and the House of Commons informed thereof.

On motion of Mr. Cunningham, the Senate now proceeded to the consideration of the bill to lay off the State into eight Congressional Districts; which was read the third time.

Mr. Hoke moved to amend the bill, by adding Caldwell to the 7th District

Which amendment was disagreed to—ayes 14, noes 25.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Berry, Boyd, Brogden, Bunting, Cannady, Drake, Hargrave, Herring, Hoke, W. Jones, Kelly, Shaw, Speight, and Watson—14.

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Barrow, Bynum, Collins, Cowper, Cunningham, Gilmer, T. F. Jones, Joyner Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Parks, Person, Thomas, Thompson, Withers Willey, and Woodfin—25.

Mr. Shaw moded to amend the bill, by striking out all after the enacting clause, and inserting a substitute therefor.

Mr. Hoke moved that the bill and amendment be laid on the table ; which motion was disagreed to—Ayes 12, noes 27.

Mr. Hoke demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Barrow, Bower, Brogden, Bynum, Drake, Herring, Hoke, W. Jones, Kelly, Speight, Thomas, and Thompson,—12.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Berry, Boyd, Caldwell, Cannady, Cowper, Cunningham, Gilmer, Hargrave, T. F. Jones, Joyner, Lane, Lillington, McClees, McMillan, Mitchell, Murray, Parks, Person, Shaw, Washington, Watson, Withers, Willey and Woodfin—27.

The question now recurred on the adoption of the amendment offered by Mr. Shaw, and was determined in the affirmative—Ayes 27, noes 14.

Those who voted in the affirmative, are :

Messrs. Abritton, Arendell, Bower, Brogden, Bunting, Caldwell, Cannady, Clark, Drake, Hargrave, Herring, Hoke, T. F. Jones, W. Jones, Joyner, Kelly, Lillington, McClees, McDowell, McMillan, Shaw, Speight, Thomas, Thompson, Washington, Watson and Willey—27.

Those who voted in the negative, are :

Messrs. Albright, Barrow, Berry, Boyd, Bynum, Cunningham, Gilmer, Lane, Mitchell, Murray, Parks, Person, Withers and Woodfin—14.

The question now recurred on the passage of the bill its third and last reading as amended.

Mr. Person moved to amend the first District, by striking out Washington and Tyrrell, and inserting Warren.

Pending which,

The Senate took a recess until half-past 7 o'clock.

HALF-PAST 7 O'CLOCK.

Mr. Cunningham, from the Joint Select Committee, appointed to enquire which of the Judicial Circuits it is most expedient to elect a Judge to reside in, made a report thereon, and recommended that the election be made for the third circuit.

On motion of Mr. Gilmer, ordered that the report be laid on the table.

Mr. Person moved that a message be sent to the House of Commons, proposing to go into the election for a United States Senator, to-morrow at 11 o'clock.

Mr. Hoke moved that the same be laid on the table; which motion prevailed—Ayes 25, noes 16.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albright, Albritton, Arendell, Barrow, Boyd, Brogden, Bynum, Cowper, Drake, Herring, Hoke, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McDowell, McMillan, Murray, Parks, Thompson, Watson, Willey and Woodfin—25.

Those who voted in the negative are :

Messrs. Berry, Bower, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Gilmer, Hargrave, W. Jones, Person, Shaw, Speight, Thomas and Withers--16.

The Senate now resumed the consideration of the unfinished business of the last session, viz :

The bill to lay off the State into eight Congressional Districts.

The Speaker decided the motion of Mr. Person, to amend the bill, to be not in order.

Mr. Bower now moved a reconsideration of the vote, by which the amendment of Mr. Shaw was adopted.

Which motion was not agreed to--Ayes 15, noes 25.

Mr. Bower demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Clark, Collins, Cunningham, Drake, Gilmer, W. Jones, Person, Watson, Withers--15.

Those who voted in the negative are :

Messrs Albright, Albritton, Arendell, Bynum, Caldwell, Cannady, Cowper, Hargrave, Herring, Hoke, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McDowell, McMillan, Murray, Parks, Shaw, Speight, Thompson, Willey and Woodfin,—25.

So the Senate refused to reconsider.

Mr. Berry now moved that the bill be laid on the table ; which motion was not agreed to--Ayes 17, noes 25.

Mr. Berry demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Cannady, Clark, Collins, Cunningham, Drake, Herring, W. Jones, Person, Thomas, Watson and Withers—17.

Those who voted in the negative are :

Messrs. Albright, Albritton, Arendell, Bynum, Caldwell, Gilmer, Hargrave, Hoke, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Cowper, Parks, Shaw, Speight, Thompson, Willey and Woodfin—25.

So the Senate refused to lay on the table.

Mr. Thomas moved that the further consideration of the bill be postponed until to-morrow.

Not agreed to.

The question now recurred on the passage of the bill, its third and last reading, and was determined in the affirmative—Ayes 29, noes 14.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albright, Albritton, Arendell, Bynum, Caldwell, Cannady, Cowper, Gilmer, Hargrave, Herring, Hoke, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Murray, Parks, Shaw, Speight, Thompson, Washington, Watson, Willey and Woodfin—29.

Those who voted in the negative are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Clark, Collins, Cunningham, Drake, W. Jones, Person, Thomas and Withers—14.

So the bill passed its third reading, and was ordered to be enrolled.

Mr. Person moved that a message be sent to the House of Commons, proposing to vote for a Senator of the United States, to-morrow at 11 o'clock.

Mr. McDowell moved to amend the message, by striking out U. S. Senator, and inserting Judge of the 3d Judicial Circuit.

Agreed to

Mr. Person moved that a message be sent to the House of Commons, proposing to go into the election of U. S. Senator, at half-past 11 o'clock, to-morrow morning.

Which was not agreed to—Ayes 14, noes 29.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Berry, Bower, Boyd, Bunting, Cannady, Collins, Cunningham, Hargrave, W. Jones, McMillan, Person, Speight, Watson and Withers . 14.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Barrow, Brogden, Bynum, Caldwell, Clark, Cowper, Drake, Gilmer, Herring, Hoke, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McDowell, Mitchell, Murray, Parks, Shaw, Thompson, Washington, Watson, Willey and Woodfin
—29.

Mr. T. F. Jones moved that the 15th rule be suspended, and that the bill to lay off the State into eight Congressional

Districts be engrossed and sent to the House of Commons, for their concurrence.

Which proposition was agreed to.

Mr. Drake, from the Committee on Claims, reported back the resolution in favor of George Little, and recommended its passage.

The resolution was read the second time and passed, and the rules being suspended, the resolution was read the third time, passed and ordered to be enrolled.

On motion of Mr. Collins, the Senate took up the resolution in favor of W. W. Green, &c ; which was read the second time and rejected.

On motion of Mr. Thompson, the engrossed bill to amend an act passed at the session of 1848-'49, entitled an act to provide for the establishment of a State Hospital for the insane in North Carolina, and an act supplemental to the same, was read the second time and passed.

Mr. Berry moved that the bill to amend the Constitution of North Carolina be now taken up, and made the special order for to-morrow at half past 11 o'clock ; which motion was carried—Ayes 23, noes 13.

Mr. Berry demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albritton, Arendell, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Cannady, Collins, Cunningham, Drake, Hargrave, Herring Hoke, W. Jones, Kelly, Lillington, M. Dowell, McMillan, Murchison, Person, Shaw, Speight, Thomas, Washington, Watson and Withers—28.

Those who voted in the negative, are :

Messrs. Albright, Bynum, Cowper, Gilmer, T. F. Jones, Lane, McClees, Mitchell, Murray, Parks, Thompson, Willey and Woodfin—13.

Mr. McMillan moved an adjournment.

Not agreed to.

Received a message from the House of Commons, stating that they have rejected the proposition of the Senate to go into the election of Judge of the Superior Court of Law and Equity, for the third Judicial Circuit, to-morrow at 11 o'clock.

Mr. Drake now moved that the Senate adjourn.

The result of the vote on this motion was—Ayes 19, noes 19.

Those who voted in the affirmative, are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Cannady, Drake, Gilmer, Hargrave, W. Jones, McMillan, Mitchell, Murchison, Murray, Speight, Watson, Withers and Willey—19.

Those who voted in the negative, are :

Messrs. Albright, Albrighton, Arendell, Clark, Cowper, Cunningham, Herring, Hoke, T. F. Jones, Kelly, Lane, Lillington, McClees, McDowell, Person, Shaw, Thompson, Washington and Woodfin--19.

There being a tie, Mr. Hoke, who occupied the Chair temporarily, voted in the negative, and the motion was lost.

A message was sent to the House of Commons, stating that the Senate have passed the following engrossed bills, in which they ask the concurrence of that body, viz :

“ A bill to incorporate the Jacksonville and Trent River Plank Road Company;

A bill to incorporate the Ratherford and Cleaveland Plank Road Company: and

A bill to incorporate the Ashboro' and Salisbury Plank Road Company.

The engrossed bill to incorporate the Fayetteville Ice Company, was read the second time and passed.

The engrossed bill to incorporate the North Carolina Steam Carriage and Plank Road Company, was read the second time.

Mr. Murchison moved to lay the bill on the table.

Not agreed to.

The bill then passed its second reading. On motion, the rules were suspended, and the bill read the third time, passed and ordered to be enrolled.

The engrossed bill to prevent the obstruction of the passage of fish in the waters of Blunt's Creek and its tributary streams, was read the second and third times, under a suspension of the rules, passed and ordered to be enrolled.

The engrossed bill to lay off a public road from Enoch Vannay's Mill, in Wilkes county, to the Virginia line, was read the second time and passed; and, on motion, the rules were suspended, and the bill read the third time, passed and ordered to be enrolled.

The Senate then adjourned.

SATURDAY, Dec. 25th, 1853.

Received from the House of Commons, the recommendation of sundry persons for Justices of the Peace for Haywood county; which, on motion, was ordered to be laid on the table.

The recommendations for several other Justices of the Peace were read and accepted.

Mr. Thomas, from the Committee on Internal Improvements, reported with amendments, the bill to incorporate the Atlantic, Tennessee and Ohio Railroad Company; which was read the second time, and, on motion of Mr. Caldwell, ordered to be laid on the table.

Mr. Thomas, from the same committee, reported back with amendments, the bill to incorporate the French Broad Turnpike Company.

Ordered to lie on the the table.

Mr. Clark offered the following resolution, viz:

Resolved, That a message be sent to the House of Commons, proposing to ballot at half-past 11 o'clock, for Judge of the 3rd Judicial Circuit.

Mr. Cannady moved to amend the same, by striking out half.

Agreed to.

Mr. Lillington moved to strike out 3rd and insert 5th District.

Not agreed to.

The resolution was then adopted.

The engrossed bill to improve the public road leading from Holeman's Ford, on the Yadkin River, in Wilkes county, by way of the Deep Gap, at the Blue Ridge, at Solomon Green's and the Rich Mountain, to the Tennessee line, was read the second time and passed.

On motion of Mr. Mitchell, the rules were suspended and the bill read the third time, passed and ordered to be enrolled.

The engrossed bill to amend an act of 1848-'49, chapter 57, entitled an act to confer on County Courts certain powers over Lunatics, was read the second time and passed, and, on motion, the rules were suspended and the bill read the third time, passed and ordered to be enrolled.

The bill to amend an act, entitled an act to incorporate the Roanoke Valley Railroad Company, was read the second and third times, under a suspension of the rules, passed and ordered to be enrolled.

Received a message from the the House of Commons, agreeing to vote for a Judge this day at 11 o'clock, and informing that R. M. Saunders, D. A. Barnes, Asa Biggs, and Spier Whitaker are in nomination, and that Messrs. Mooring and Daniel form their branch of the Committee to superintend the election.

Messrs. Person and Albritton were appointed the committee on the part of the Senate, to superintend said election, and the Commons informed thereof.

The Senate then voted as follows :

FOR MR. SAUNDERS.

Messrs. Gilmer, Hargrave, W. Jones, McClees, Parks and Thomas—6.

FOR MR. BIGGS.

Messrs. Barrow, Bower, Bunting, Boyd, Caldwell, Collins, Herring, Hoke, McClees, McDowell, Person, Shaw, and Withers—13.

FOR MR. WHITAKER.

Messrs. Berry, Brogden, Cannady, Clark, Drake, Joyner, Speight, Washington and Watson—9.

FOR MR. BARNES.

Messrs. Albright, Albritton, Cowper, T. F. Jones, Kelly, Lane, Lillington, Murray, Thompson, Willey, and Woodfin—11

FOR MR. EATON.

Messrs. Speaker, Cunningham, and McMillan—3.

Received a message from the House of Commons, stating that they concur in the amendments of the Senate, to the bill on jury trials in the County Courts of Columbus. Ordered that the bill be enrolled.

Also, that they have passed with an amendment, the Senate bill to amend the Charter of the Ashville and Greenville Plank Road company.

The amendments were agreed to, and the House of Commons informed thereof:

Also, that they have passed the Senate bill to appoint Commissioners to locate the town of Marshall, with amendments marked A. and B.

The first amendment, marked A. was concurred in ; the last was disagreed to, and the Commons informed thereof.

Also, that they have passed with an amendment the Senate's bill to give to the Court of Pleas and Quarter Sessions of the counties of Randolph and Granville, jurisdiction of the sale of real estate for division amongst joint tenants, and tenants in common.

The amendment was disagreed to, and the House of Commons informed thereof.

Mr. Person, from the Committee, appointed to superintend the election of Judge, reported that no one in nomination having received a majority of the votes given, there is no election.

Report concurred in.

On motion of Mr. McDowell, ordered that a message be sent to the House of Commons, proposing to vote again forthwith for Judge of the Superior Court for the third Judicial Circuit.

The engrossed bill to incorporate the Locksville and Hillsboro' Plank Road company was read the third time, passed, and ordered to be enrolled.

The Speaker announced the special order, being the bill to amend the Constitution of North Carolina,

The pending question being on the amendment of Mr. Caldwell, to the amendment of Mr. Lillington.

Mr. Woodfin moved to postpone the order till half-past three o'clock.

Not agreed to.

Mr. Gilmer moved to postpone the order till Monday, 10 o'clock.

Which was agreed to—Ayes 24, nays 17.

On this motion Mr. Berry demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs Albright, Arendell, Barrow, Bunting, Clark, Cowper, Gilmer, Hargrave, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, McMillan, Mitchell, Murchison, Murray, Parks, Speight, Thompson, Washington, Willey, and Woodfin—24.

Those who voted in the affirmative are

Messrs. Berry, Bower, Boyd, Brogden, Caldwell, Cannady, Collins, Cunningham, Drake, Herring, Hoke, W. Jones, McDowell, Shaw, Thomas, Watson and Withers—17.

Received a message from the House of Commons, agreeing to vote again for Judge of the third Judicial Circuit, and informing that Messrs. Cotton and Norfleet compose the Committee on their part to superintend said election, and that the name of D. A. Barnes is withdrawn from the nomination; whereupon, a message was sent to the House of Commons, announcing that Messrs. Albritton and Person, constitute the Committee on the part of the Senate, and that the Senate would proceed to vote on the return of the messenger.

The Senate then voted as follows:

FOR MR SAUNDERS.

Messrs. Albright, Gilmer, Hargrave, W. Jones, Kelly, Lillington, Mitchell, Murray, Parks, Thomas, Washington and Woodfin—12.

FOR MR. BIGGS.

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Collins, Cowper, Herring, Hoke, McClees, McDowell, McMillan, Person, Shaw, Thompson, Withers and Willey--20.

FOR MR. WHITAKER.

Messrs. Cannady, Clark, Cunningham, Drake, Joyner, Lane, Speight, and Arendell-8,

FOR MR. EATON,

Messrs. Speaker, T. F. Jones, Watson--3

Mr. Albritton, from the Committee, appointed to superintend the election of a Judge of the Superior Court, reported that no person in nomination, having received a majority of the whole number of votes given, there is no election.

Concurred in.

On motion of Mr. Cunningham,

Ordered, that a message be sent to the House of Commons, proposing to vote again, forthwith, for a Judge of the Superior Court for the third Judicial Circuit.

Received a message from the House of Commons, agreeing to vote again, for a Judge of the Superior Court, and stating that Messrs. Black and Stubbs form their Committee to superintend said election.

A message was sent to the House of Commons, informing that Messrs. W. Jones and Cunningham form the Senate's branch of the Committee to superintend the election,

And, that the Senate would proceed to vote, on the return of the messenger.

The Senate then voted as follows:

FOR MR. BIGGS.

Messrs. Albritton, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Collins, Cunningham, Drake, Herring, McClees, McDowell, McMillan, Person, Shaw, Speight, Watson, Withers, Barrow, Murchison, Clark, Hoke,—23.

FOR MR. SAUNDERS.

Messrs. Albright, Arendell, Cannady, Gilmer, Hargrave, W. Jones, Joyner, Kelly, Lane, Mitchell, Murray, Parks, Thomas, Thompson, Washington, Willey, Woodfin, Lillington, and Cowper,—19.

FOR MR. EATON.

Mr. Speaker.

The engrossed bill to amend an act passed at the session of 1848-9, entitled an act to provide for the establishment of a State hospital for the insane in N. C. and, an act supplemented to the same, was read the third time.

Mr. Berry moved to amend the bill as follows:

Strike out Medical superintendant and insert the word "architect."

Which amendment was rejected—Ayes 15, nays 26.

Mr. Berry demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Barrow, Berry, Bower, Brogden, Cunningham, Drake, Herring, W. Jones, Kelly, Mitchell, Murray, Person, Thomas, Watson and Withers—15.

Those who voted in the negative, are:

Messrs. Albright, Albritton, Arendell, Boyd, Bunting, Cannady, Collins, Cowper, Gilmer, Hargrave, Hoke, T. F. Jones, Joyner, Lane, Lillington, McClees, McDowell, McMillan, Murchison, Parks, Shaw, Speight, Thompson, Willey and Woodfin—25.

The bill was then passed its third reading, and ordered to be enrolled.

Mr. W. Jones, from the Committee, appointed to superintend the election of a Judge of the Superior Court of law and equity for the third Judicial Circuit, reported that R. M. Saunders, having received a majority of the whole number of votes given, is duly elected.

The report was concurred in.

Received from the House of Commons, the recommendation for several Justices of the Peace, from the county of Yadkin, which being read, Mr. Bower moved to lay the same on the table.

Which motion prevailed—Ayes 20, noes 16.

Mr. Gilmer demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Barrow, Berry, Bower, Boyd, Brogden, Bunting, Cannady, Collins, Cunningham, Drake, Hargrave, Herring, W. Jones, McDowell, McMillan, Person, Speight, Thomas, Watson, and Withers—20.

Those who voted in the negative, are :

Messrs. Albright, Albritton, Arendell, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McClees, Mitchell, Murchison, Murray, Thompson, Willey and Woodfin—17.

The recommendations were then called up, on motion of Mr. Bower, and concurred in.

Mr. Woodfin, with leave, offered a resolution in favor of James Fisher, which, under a suspension of the rules, was read the first, second and third times, passed, and ordered to be engrossed.

On motion of T. F. Jones, the resolution in favor of Perrin Busbee and others, was now taken up, read the second time, amended and passed.

On motion, the rules were suspended, and the resolution read the third time, passed, and ordered to be engrossed.

The bill to extend the power of the Commissioners of Navigation for the port of Washington was read the second time and passed, and, on motion, the rules were suspended, and said bill read the third time, passed, and ordered to be enrolled.

The bill extending the time of paying the bonds of the Seaboard and Roanoke Railroad company, was read the second time, amended, and passed, and on motion, the rules were suspended, and said bill read the third time, passed and ordered to be engrossed.

The engrossed bill to amend an act passed at the session of 1850-51, entitled an act, to incorporate the Greenville and Raleigh Plank Road company, was read the third time and ordered to be enrolled.

The Senate took a recess until half-past 3 o'clock.

HALF-PAST THREE O'CLOCK.

The engrossed bill for the protection of boats, canals, coasting and sea vessels, was read the second time and passed.

The following engrossed bills and resolutions were read the third time, passed and ordered to be enrolled :

A resolution authorizing the Governor to furnish the clerk of the County Court of Union county, with the standard of weights and measures;

A bill to repeal in part the 5th section of an act of the General Assembly of 1850-'51, entitled an act to establish a Superior Court of Law and Equity, for the county of Watauga;

A bill to incorporate the Fayetteville Ice company ;

And a bill to incorporate the town of New Salem, in the county of Randolph.

The bill to extend the time of perfecting titles to lands heretofore entered, was read the second time and passed, and ordered to be engrossed.

The engrossed resolution, providing for furnishing a set of standard weights for the county of Alexander, under a suspension of the rules, was read the first, second and third times, and ordered to be enrolled.

Mr. Person moved that a message be sent to the House of Commons, proposing to go into an election for United States Senator, this day at four and-a-half o'clock.

Mr. McDowell moved to lay the motion on the table ; which was carried—Ayes 28, nays 10.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albritton, Arendell, Barrow, Boyd, Brogden, Bunting, Bynum, Clark, Cowper, Drake, Gilmer, Herring, T. F. Jones, W. Jones, Joyner, Lane, Lillington, McClees, McDowell, McMillan, Mitchell, Parks, Shaw, Speight, Thompson, Washington, Willey and Woodfin --28.

Those who voted in the negative are :

Messrs. Berry, Bower, Cannady, Caldwell, Cunningham, Hargrave, Person, Thomas, Watson and Withers--10

The resolution concerning a road through Pungo Swamp was read the second time and passed, and the rules were suspended, and said bill read the third time, passed and ordered to be enrolled.

The engrossed bill to establish a public road in the county of Madison was read the second time and passed, and, on motion, the rules were suspended, and the bill read the third time and ordered to be enrolled.

The engrossed bill to incorporate the Atlantic and North Carolina Railroad company, and the North Carolina and Western Railroad company, was read the second time.

Mr. Person moved to amend the bill, by striking out the 39th section.

Mr. Bower moved that the bill be laid on the table, until the 4th of March next; which was agreed to—Ayes 24, noes 18.

Those who voted in the affirmative are :

Messrs. Albritton, Barrow, Berry, Bower, Boyd, Bunting, Bynum, Cannady, Collins, Cunningham, Drake, Hargrave, Herring, W. Jones, Joyner, McClees, McDowell, McMillan, Murchison, Person, Shaw, Watson, Withers and Willey--24.

Those who voted in the negative are :

Messrs. Albright, Arendell, Brogden, Cowper, Gilmer, Hoke, T. F. Jones, Kelly, Lane, Lillington, Mitchell, Murray, Parks, Speight, Thomas, Thompson, Washington and Woodfin--18.

Mr. Lillington presented the following resolution, viz :

Resolved, That a message be sent to the House of Commons, proposing to fix upon the hour of 7 o'clock, A. M. on Monday next, as the hour of adjournment.

Which was agreed to.

The engrossed bill to enlarge the powers of the Magistrate of Police and Commissioners of Fayetteville, was read the second time and passed.

Mr. Joyner moved to reconsider the vote by which the bill was laid on the table until the 4th of March next, to incorporate the Atlantic and North Carolina Railroad Company, and North Carolina and Western Railroad Company.

Which was agreed to.

The bill was then amended, on motion of Mr. Joyner, by striking out the 39th and 47th sections.

Mr. Person moved further to amend the bill, by striking out the words in the 4th section, "by the *Public* Treasurer and to be refunded."

The amendment was rejected.

The bill then passed its second reading as amended.

The Senate now took a recess, until half-past seven o'clock.

HALF-PAST 7 O'CLOCK.

The engrossed bill to repeal the 85th chapter of the Statutes of 1850-'51, was read the second time and passed, and, on motion, the rules were suspended and the bill read the third time, passed and ordered to be enrolled.

The engrossed bill to amend an act of 1850-'51, entitled an act, to amend an act for the incorporation of the town of Washington, &c., was read the second time, and, on motion of Mr. Albritton, indefinitely postponed.

On motion of Mr. Lillington,

Resolved, That the rule of the Senate prohibiting the reading of bills or resolutions three times in one day, be suspended for the residue of the session, and that bills and resolutions be read first, second and third times on the same day.

The bill to amend an act, entitled an act to incorporate the town of Charlotte, in the county of Mecklenburg, was read the first, second and third times, passed and ordered to be enrolled.

The engrossed resolution for extra allowances to Clerks, was read the first, second and third times, passed and ordered to be enrolled.

Received a message from the House of Commons stating that they have passed the Senate bill to provide for holding the County and Superior Courts in the seventh Judicial Circuit, with amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the House of Commons informed thereof.

The engrossed bill to amend an act, entitled an act to incorporate the North Carolina Railroad Company, was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company, was read the third time, and amended, on motion of Mr. Joyner.

Mr. Person moved further to amend the bill in the 46th section, by striking out the words, "*by the Public Treasurer and to be refunded.*"

Which amendment was rejected—Ayes 11, noes 26.

Mr. Person demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Berry, Bower, Brogden, Cunningham, Drake, W. Jones, McDowell, Person, Watson, Withers and Willey—11.

Those who voted in the negative are :

Messrs. Albright, Arendell, Barrow, Boyd, Bunting, Cannady, Cowper, Gilmer, Hargrave, Herring, Hoke, T. F. Jones, Joyner, Kelly,

Lane, Lillington, McMillan, Mitchell, Murray, Parks, Shaw, Speight, Thomas, Thompson, Washington and Woodfin—26.

So the Senate refused to strike out.

The question now recurred on the passage of the bill, its third and last reading, and was determined in the affirmative—Ayes 28, noes 6.

Mr. Berry demanded the ayes and nays.

Those who voted in the affirmative are :

Messrs. Albright, Arendell, Barrow, Boyd, Brogden, Bunting, Cannady, Cowper, Gilmer, Hargrave, Herring, Hoke, T. F. Jones, W. Jones, Joyner, Lane, Lillington, McMillan, Mitchell, Murchison, Murray, Parks, Shaw, Speight, Thomas, Thompson, Washington and Woodfin—28.

Those who voted in the negative, are :

Messrs. Berry, Cunningham, Drake, McDowell, Watson, and Withers—6.

So the bill passed its third and last reading, and a message was sent to the House of Commons, asking their concurrence in the amendments of the Senate.

Mr. Cunningham, in behalf of himself, and others, presented the following protest,

Which was ordered to be spread upon the Journal, viz :

"We, the undersigned, members of the Senate of North Carolina, hereby avail ourselves of the privilege secured to us by the 46th section of the Constitution of this State, which declares, "that any member of either House of the General Assembly shall have liberty to dissent from, and

protest against, any act or resolve which he may think injurious to the public, or any individual have the reasons of his dissent entered on the Journal.

We voted against the bill to lay off the State into eight Congressional Districts, which passed its third and last reading, in the Senate, on the 24th of December, and we were influenced solely by pure motives of public duty; we felt constrained to oppose the bill on account of the manner in which it distributes the political strength in the State. It was offered as a substitute for another bill on the same evening, that it passed its third reading, in the Senate, and but a very short time was allowed for examining whether the districts comprise the essential elements of compactness of form or similarity of pursuits.

The magnitude and importance of this subject entitled it to mature deliberation and careful investigation; and in the honest performance of our Legislative duties, it was indispensable to scrutinize impartially a subject, so materially affecting the political power of the State.

By the hasty action of the Senate, this was not allowed us. We therefore most solemnly dissent, and protest against the act laying off this State into Congressional Districts, and pray that this our protest may be entered on the Journals of the Senate.

JOHN H. CUNNINGHAM.

C. H. BROGDEN.

JNO. H. DRAKE.

The following engrossed resolution was received from the House of Commons, read and concurred in, viz :

Resolved, The Senate concurring, that all engrossed bills for the incorporation of companies, which may have been passed by both Houses of the General Assembly, and passed upon, by the Committee on enrolled bills, shall be signed as enrolled bills, and ratified accordingly.

The engrossed bill to repeal an act, to alter the time of holding elections for the county of Edgecombe, was read 1st, 2nd and 3rd times, passed, and ordered to be enrolled.

The engrossed bill to amend an act to emancipate Lucy, a slave, and her child Laura, of 1850-51, was read the 1st, 2nd and third times, passed, and ordered to be enrolled.

The engrossed bill to amend an act, passed at the General Assembly, at the sessions of 1848-9, concerning the Militia and Courts Martial, was read and laid on the table.

Received a message from the House of Commons, informing that they have laid on the table the proposition of the Senate fixing the hour of 7 A. M. on Monday, for adjournment.

On motion of Mr. Gilmer,

Resolved, That a message be sent to the House of Commons, proposing that so much of the joint rules of the two Houses, as relates to the enrollment of bills, be so altered, as to allow their being sent from one House to the other without their being enrolled, provided there be no amendment, and are written in a plain legible manner, and free from grammatical error; and that engrossed bills be considered as enrolled bills.

The enrolled bill to incorporate the Caswell Plank Road Company, was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill to enlarge the powers of the Magistrates of Police and Commissioners of Fayetteville, was read the third time, passed and ordered to be enrolled.

The engrossed bill to amend an act, entitled an act to incorporate the town of Lumberton, passed at the session of the General Assembly of 1850-'51, was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill to incorporate the Wilmington and Tarboro Plank Road Company, was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill to incorporate the proprietors of the Wilmington Cemetery was read the second and third times, passed and ordered to be enrolled.

The engrossed bill concerning Rutherford county was read the second and third times, passed and ordered to be enrolled.

The engrossed bill to incorporate the French Broad Turnpike Company was read the second and third times, amended, passed and ordered to be engrossed.

Received a message from the House of Commons, stating that they have passed, with sundry amendments, the Senate bill regulating the fisheries in the Eastern part of the State, and asking the concurrence of the Senate.

The amendments were disagreed to, and the House of Commons informed thereof.

Received a message from the House of Commons, concurring in the amendments of the Senate, to the engrossed bill to incorporate the Atlantic and North Carolina Railroad Company, and the North Carolina and Western Railroad Company.

Ordered that said bill be enrolled.

Mr. Washington introduced a resolution allowing to Samuel Pearce and others, the use of the Public Library ; which was read the first, second and third times, passed and ordered to be engrossed.

On motion of Mr. Hoke, the Senate adjourned until Monday morning, 9 o'clock.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albright, Albritton, Barrow, Boyd, Bunting, Cannady, Clark, Cowper, Gilmer, Hargrave, Herring, Hoke, Kelly, McClees, Mitchell, Murchison, Murray, Shaw, Speight, Thomas, Thompson, Washington, Watson and Willey—24.

Those who voted in the negative are :

Messrs. Arendell, Berry, Brogden, Cunningham, T. F. Jones, Person, Withers and Woodfin—8.

MONDAY, Dec. 27th, 1852.

The Speaker announced that Messrs. Cowper, Hargrave and Shaw, compose the committee on enrolled bills the present week.

Received a message from the House of Commons, informing that Messrs. Norfleet, Stubbs, S. P. Hill, Matthews and

Albertson form their branch of the committee on enrolled bills for the present week.

Mr. Brogden, from the committee on Propositions and Grievances; to whom was reported a memorial from sundry citizens, asking for the establishment of a new county to be called Mount Vernon, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Brogden, from the same committee, to whom was referred the resolution in favor of Jere Adderton, reported the same back to the Senate, and recommended that it do not pass.

Ordered to lie on the table.

Mr. Brogden, from the same committee, reported back the engrossed bill to grant to the city of Raleigh a certain lot of land, to be added to the burial ground of said city, and recommended that it do not pass.

Ordered to lie on the the table.

Mr. Brogden, from the same committee, to whom was referred the memorial of Jesse R. Siler, reported the same back to the Senate, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Brogden, from the same committee, made an unfavorable report on the memorial of Hillory Croom, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Woodfin, from the Committee on the Judiciary, to whom was referred the bill to establish a new county by the name of Sevier, reported the same back to the Senate, and recommended its rejection.

Ordered to lie on the table.

Mr. Woodfin, from the same committee, reported back the bill for the relief of sheriffs and jailors, and asked to be discharged from its further consideration.

Discharged accordingly.

Mr. Woodfin, from the same committee, reported back the bill to amend an act concerning Courts of Justice, Practice, Pleas and Process ; which was ordered to be laid on the table.

Mr. Thomas presented a resolution authorizing the sale of railroad iron ; which was read the first, second and third times, passed and ordered to be engrossed.

The engrossed bill to provide for the better regulation of the town of Louisburg, in Franklin county, was read the first, second and third times, passed and ordered to be enrolled.

Mr. Lillington offered a resolution in relation to the report of Professor Emmons ; which was read the first, second and third times, passed and ordered to be engrossed.

The resolution in relation to Wheeler's History of North Carolina was read, and ordered to be laid on the table.

The engrossed resolution in favor of Joseph H. Bouditch was read the first, second and third times, passed and ordered to be enrolled.

Received a message from the House of Commons, stating that they have passed, with an amendment, the bill to incorporate the North Carolina State Agricultural Society, and ask the concurrence of the Senate in the same.

The amendment was concurred in, and the bill ordered to be engrossed.

The bill appointing Commissioners to lay off a road from Salisbury to the Virginia public road at the mouth of Wilson, was read the first time and rejected.

On motion of Mr. Cunningham, the vote by which the bill just read, was rejected, was reconsidered, and the bill passed its first reading.

The bill was then read the second and third times and passed, and a message sent to the House of Commons, asking their concurrence in the Senate's amendments.

Received a message from the House of Commons, stating that they have passed the Senate bill to provide for holding the County and Superior Courts, in the 7th Judicial Circuit, with amendments, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the bill ordered to be enrolled.

The engrossed bill concerning elections in Beaufort county was read the first, second and third times, passed, and ordered to be engrossed.

The engrossed bill to appoint an agent of internal improvements on behalf of the State, was read the first time and passed, and, on motion of Mr. Cunningham,

Ordered to be laid on the table.

The engrossed bill to amend an act, entitled an act, to incorporate the Wilmington and Manchester Railroad company, was read the first, second and third times, passed and ordered to be enrolled.

Mr. Cunningham moved to take up the Resolution in relation to Wheeler's History of North Carolina.

Which was agreed to.

The resolution was then read the second time, amended and passed.

On motion of Mr. Washington, the resolution was read the third time, passed, and ordered to be engrossed.

The engrossed bill to amend an act for re-assessment of land, &c., was read the first, second and third times, passed, and ordered to be enrolled.

On motion of Mr. T. F. Jones, the Senate now took up for consideration the bill to incorporate Suffolk and Gatesville Railroad company; which was read the third time, passed, and ordered to be engrossed.

Mr. Bower offered the following resolution, viz:

Resolved, That the resolution, passed at this session of the General Assembly, making appropriation for furnishing the Halls of the Capitol, be, and the same is hereby rescinded.

Which was read the first second and third time, passed, and ordered to be engrossed.

Mr. Woodfin, with leave, introduced a bill to bring into market the lands pledged for the completion of the Western

Turnpike Road, which was read the first, second and third times, amended, on the several motions of Messrs. Hoke and Mitchell, passed, and ordered to be engrossed.

The engrossed resolution, in favor of R. M. Saunders, was read the first, second and third times, passed, and ordered to be engrossed.

The engrossed bill to legalize the transfer of the rights of the Cape Fear Navigation company, on the Cape Fear River above the mouth of Cross Creek, and for other purposes, was read the first, second and third times, passed, and ordered to be enrolled.

The following engrossed bills and resolution were read the first, second and third times, passed, and ordered to be engrossed, viz :

A bill to incorporate the Roanoke Ferry and Turnpike company;

A bill concerning the place of trial for civil process, returnable before Justices of the Peace;

A bill to amend an act passed at the session of 1848-49, entitled an act to incorporate the Johnson Little River Manufacturing company;

A bill to provide for clearing out Cypress Creek, in the county of Duplin;

A resolution in favor of the sureties of A. J. Pool, late Sheriff of Pasquotank county ; and

A bill to incorporate the town of Kenansville.

The engrossed resolution in favor of M. W. Ransom, was read the first time and passed, and, on motion, referred to the Committee on Claims.

The engrossed bill to amend an act, entitled an act to incorporate the Red Mountain Turnpike company, in the

county of Haywood, was read the first, second and third times, passed and ordered to be engrossed.

The engrossed bill to incorporate Tarborough and Rocky Mount Plank Road company was read the first, second and third times, passed, and ordered to be engrossed.

The engrossed bill to amend the several acts heretofore passed, and which are now in force, for the incorporation, and government of the town of Tarborough, and to authorize and empower the Commissioners of the said town to lay off a portion of the commons of said town into lots, and sell the same, was read the first, second and third times, passed, and ordered to be enrolled.

The resolution in favor of David A. Ray, &c., was read the first and second times and passed, and, on motion, referred to the Committee on Claims.

The engrossed resolution concerning the county of Madison, was read the first, second and third times, passed and ordered to be enrolled.

The engrossed resolution in favor of James McKimmon was read the first, second and third times, passed, and ordered to be enrolled.

The engrossed bill to qualify every man of, good mind and good character to serve as a juror, without reference to a freehold qualification, was read, and, on motion of Mr. Brogden, ordered to be laid on the table.

The engrossed bill to incorporate the Duplin Plank Road company was read the first, second and third times, passed and ordered to be enrolled.

The engrossed resolution in favor of W. L. Pomeroy was read the first, second and third times, passed and ordered to be engrossed.

The engrossed bill for the protection of boats, coasting and sea vessels, was read the third time, passed and ordered to be engrossed.

The engrossed bill authorising the Richmond and Danville Railroad company to establish a Depot in or near the town of Milton, was read the first, second and third times, passed, and ordered to be enrolled.

The engrossed bill to incorporate the Caswell Fire Insurance company, in the town of Milton, Caswell county, North Carolina, was read the first, second and third times, passed, and ordered to be engrossed.

The engrossed bill to establish the Merchants' and Planters' Bank of Wilmington was read the second time, and, on motion of Mr. Cunningham, indefinitely postponed.

The engrossed bill to incorporate the Robeson and Richmond Plank Road company, was read the first, second and third times, passed, and ordered to be enrolled.

The engrossed bill to provide for a reassessment of the real estate within the corporate limits of the town of Rockford, in the county of Surry, was read the first, second and third times, passed and ordered to be enrolled.

The Senate took a recess until half-past 3 o'clock.

HALF-PAST THREE O'CLOCK.

Received a message from the House of Commons, proposing to rescind the joint order of the two Houses, as to adjourning this day, and that the two Houses adjourn *sine die*, to-morrow morning at 6 o'clock.

Not agreed to.

Mr. Lillington introduced a resolution in favor of James Small, and others, assistant engrossing clerks, which was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill to amend the 15th section of the 31st chapter of the Revised Statutes, so as to authorise the Superior Courts of Law and Equity to be held for two weeks, in the county of New Hanover, was read the first and second times, amended and passed.

The bill was then read the third time and passed, and a message sent to the House of Commons, asking their concurrence in the Senate's amendments.

The engrossed bill directing the dividends on the stock of the State, in the Wilmington and Manchester Railroad company, to be paid into the Treasury, as a part of the Literary Fund, was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill to amend an act, entitled an act, to amend an act, incorporating the Wilmington and Raleigh Railroad company, was read the first time and rejected.

Mr. Berry presented the following protest, and asked that it be spread on the journal, viz :

"The undersigned, Senator from the counties of Alamance and Orange, asks leave to enter his protest against the bill, which has passed the Senate, dividing the State into fifty Senatorial districts, because said bill is not founded in justice; because it does not have due reference to the great principle of taxation and similarity of pursuits and interests; because, under it, one of the political parties of the State will have an advantage over the other; and the undersigned, especially protests against the part of the bill which deprives Alamance of a Senator, and attaches her to Randolph, while other counties, with larger deficits in taxation, were awarded Senators, and Alamance refused. Regarding this as a gross injustice to a portion of the constituency I represent, I desire to enter this, my protest, on the journal.

"JOHN BERRY."

On motion of Mr. Clark, the vote by which the bill to amend an act, entitled an act, to amend an act incorporating the Wilmington and Raleigh Railroad company, was rejected, was reconsidered.

The bill was then read the second and third times, passed and ordered to be enrolled.

The engrossed bill to incorporate the Roanoke Ferry Turnpike company was read the first, second and third times, passed and ordered to be enrolled.

Mr. Drake, from the Committee on Claims, reported back the resolution in favor of Mat. W. Ranson, which was read the second and third times, passed and ordered to be enrolled.

The engrossed bill to amend an act passed at the session of 1850-'51, entitled an act, to amend an act for the incorporation of the town of Washington, being chapter 199 of

the acts of 1846, was read the first time and indefinitely postponed.

Mr. Drake, from the Committee on Claims, reported back the resolution in favor of David A. Ray, &c.

Mr. Bower moved that the same be indefinitely postponed; which was carried.

The engrossed resolution in favor of Jesse Cole, was read the first, second and third times, passed and ordered to be enrolled.

The following engrossed bills were read the first, second and third times, passed and ordered to be enrolled, viz :

A bill to amend an act passed in 1850-'51, entitled an act to incorporate the Salisbury and Fayetteville Plank Road Company;

A bill to amend an act, entitled an act concerning Rutherford, passed at the session of 1850 51;

A bill to amend an act, entitled an act, to amend an act, entitled an act to incorporate the McDowell and Yancy Turnpike Company : and

A bill to amend an act passed at the session of 1848 '49, entitled an act to amend an act, passed at the session of 1846-'47.

The engrossed resolution requiring the Governor to furnish weights and measures, for the county of Jackson, was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill to provide for making returns to the agent for collecting Cherokee bonds by the entry takers, was read the first time and rejected.

The engrossed bill to prescribe how persons shall be prosecuted for keeping insufficient fences, was read the first time and passed.

Mr. Cunningham moved that the bill be indefinitely postponed; which was carried.

The engrossed resolution in favor of Thompson, Williams and Haywood, &c, was read and laid on the table.

The engrossed bill in relation to wills and testaments, was read the first, second and third times, passed and ordered to be enrolled, viz :

A bill to amend the Revised Statutes for the better security of personal liberty;

A resolution in favor of H. P. King.

A bill to continue the Commissioners to revise and digest the Public Statute Laws of the State; and

A resolution in favor of S. Maitland & Co.

A message was received from the House of Commons, stating that they have passed with amendments, the engrossed bill of the Senate, to bring into market the lands pledged for the completion of the Western Turnpike road, in which they ask the concurrence of the Senate.

The amendments were agreed to, and the bill ordered to be enrolled.

The engrossed bill to incorporate the Spartansburg and Rutherford Plank Road Company, was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill explanatory of an act passed at the session of 1838-'39, was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill to amend an act, entitled an act to incorporate the Yadkin Navigation Company, was read the first, second and third times, passed and ordered to be enrolled.

The engrossed bill for the incorporation of a Mutual Marine Insurance Company, in the town of Wilmington, was read, and, on motion, of Mr. Kelly, ordered to be laid on the table.

The following engrossed bills were severally read the first, second and third times, passed and ordered to be enrolled, viz :

A bill to incorporate the Kinston and Snow Hill Plank Road Company;

A bill to incorporate the Winston and Wilkesboro' Plank Road Company;

A bill to incorporate the Chapel Hill and Raleigh Plank Road Company;

A bill to incorporate the Colly Navigation Company, in Bladen county : and

A bill to incorporate the Wilmington Fire and Marine Insurance Company.

On motion of Mr. Gilmer, the resolutions concerning the public lands were now called up and read the third time.

Mr. McDowell moved that said resolutions be laid on the table.

On the motion, the yeas and nays were demanded, and resulted as follows—Ayes 14, noes 14.

Those who voted in the affirmative, are :

Messrs. Bower, Boyd, Bunting, Caldwell, Cunningham, Drake, Herring, W. Jones, McDowell, McMillan, Shaw, Speight, Watson and Withers—14.

Those who voted in the negative, are :

Messrs. Albritton, Berry, Brogden, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lillington, Mitchell, Thomas, Washington and Woodfin—14

There being a tie, the Speaker voted in the affirmative, and the resolutions were laid on the table.

The Senate then took a recess until half-past 7 o'clock.

HALF-PAST SEVEN O'CLOCK.

Mr. Thomas, from the Committee on Internal Improvements, to whom was referred the bill to incorporate the North Carolina and South Carolina Turnpike Company, reported a bill as a substitute for the same.

Which was ordered to lie on the table.

The engrossed bill to authorise Doctor A. M. Powell, and others, to erect a toll bridge on or near Buffaloe Shoals, between Catawba and Iredell counties, was read the first, second and third times, passed and ordered to be enrolled.

The Engrossed bill to amend an act, entitled an act, to amend an act, passed in the year 1818, Chapter 42, entitled an act to elect a magistrate for the town of Wilmington, was

read the first, second and third times, passed and ordered to be Enrolled.

The Engrossed bill authorizing the majority of acting Justices of Macon to abolish Jury trials in the County Court of said County was read the first, second and third times passed and ordered to be Enrolled.

The Engrossed Resolutions in relation to a Marine Hospital at or near Smithville or Wilmington, was read the first, second and third times, passed, and ordered to be Enrolled.

The Engrossed bill to incorporate the Hawfield Volunteer Regiment in the County of Orange, was read the first, second and third times, passed and ordered to be Enrolled.

The Engrossed bill to grant to the City of Raleigh a certain lot of Land, to be added to the burial ground of said City, was read the first time, and, on motion of Mr. Cannady, ordered to be laid on the table.

On motion of Mr. Kelly, the Senate took up for consideration the Engrossed bill concerning the sale and inspection of lumber and ton timber at Wilmington, or other points on the Cape Fear river; which was read the second time.

Mr. Cunningham moved that the bill be indefinitely postponed.

Which motion was decided in the affirmative—Ayes 20, nays 11.

Mr. Cunningham demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albritton Barrow, Bower, Boyd, Bunting, Bynum, Caldwell Cannady, Clark, Cunningham, Drake, Hargrave, Herring, W. Jones Joyner, Lillington, McMillan, Speight, Watson and Withers--20,

Those who voted in the negative are :

Messrs. Berry, Brogden, Gilmer, Hoke, T. F. Jones, Kelly, McClees, McDowell, Shaw, Washington, and Woodfin--11.

So the bill was indefinitely postponed.

Mr. Gilmer moved that the Senate do now take up for consideration the Resolutions concerning the public lands, and upon this motion demanded the yeas and nays. The result was—ayes 17, nays 16.

Those who voted in the affirmative are :

Messrs. Albritton, Barrow Berry, Brogden, Bynum, Cowper, Gilmer, Hargrave, Hoke, T. F. Jones, Joyner, Kelly, Lillington, McClees, Mitchell, Washington, and Woodfin—17.

Those who voted in the affirmative are :

Messrs. Bower, Boyd, Bunting, Caldwell, Cannady, Clark, Cunningham, Drake, Herring, W. Jones, McDowell, McMillan, Shaw, Speight, Watson and Withers—16.

The Speaker voted in the negative, and the motion was lost.

Mr. Kelly now moved a reconsideration of the vote by which the Engrossed bill to prescribe how persons shall be prosecuted for keeping insufficient fences was indefinitely postponed.

The motion was disagreed to.

Mr. Thomas presented the following protest and asked that it be spread on the Journals, viz :

PROTEST.

Mr. Speaker :

The passage of the bill for the confirmation of a grant to B. H. Stanmire, for 640 acres of land, in the county of Cherokee, now being certain, I have, to the utmost of my ability, endeavored to prevent the passage of the bill, and to discharge my duty to my constituents ; but owing to a rule adopted since that bill was under consideration, restricting my reply to those who advocate its passage, to fifteen minutes, I have been unable even to read the evidence, laws and decision of the Supreme Court, necessary to a proper understanding of that case ; and now when the Senate has determined to act on the bill, in the late hours of the night, with scarcely a quorum present, and has refused to postpone its consideration until to-morrow morning, when the absent Senators may be present, and has voted down the amendment offered by me, which authorized the Trustees of the University to pay to B. H. Stanmire, the amount of money received by the University, from the sale of a warrant transferred to that institution, as escheated property, in the name of Benj. Schoolfield, with interest thereon, from the time when the money was received, I cannot hope to get the bill reconsidered or prevent its passage. There is but one more privilege I can exercise in favor of my injured constituents, and that is, to exercise my individual right, as a member of this body, under the 45th section of the Constitution, which is in these words :

“That any member of either House of the General Assembly shall have liberty to dissent from, and protest against, any act or resolve, which he may think injurious to the public, or any individuals, and have the reasons of his dissent entered on the Journals.”

As a member of the Senate, I now claim the privilege al-

lowed me under this clause of the Constitution, and shall proceed to perform the solemn duty in behalf of my constituents, and, also, in behalf of the people of the State, in having my protest against the passage of the bill, and reasons therefor, entered on the Journals of the Senate, there to remain in all future time, as evidence on my part, that I endeavored to prevent an act of great injustice to a portion of the people I represent, and also, to the majority of the people of the State.

I. I protest against the passage of the bill, because it proposes to adopt a rule in the construction of Statutes, dangerous to the rights of property, and the liberty of the people, adopting as the rule of construction of a statute, the supposed intention of the Legislature, in direct opposition to the language of the law. In support of this position, I shall quote the resolution, and contrast its provisions with the construction attempted to be placed upon it, to justify the passage of the bill.

Resolved, That the Secretary of the State be, and he is hereby authorized, and required, to issue to Ailsey Medlin, for the services of her father, Benjamin Schoolfield, in the continental line of the State, in the war of the revolution, or her heirs or assignees, a grant or grants for a quantity of land, not exceeding 640 acres, to be located in one body, or in quarter sections of not less than 160 acres, on any of the lands of this State, now subject to entry by law, said grant or grants to be issued on the application of said Ailsey Medlin, her heirs or assignees, as she or they may prefer, in one or four grants.

2. That the said warrant or warrants shall or may be laid, so as to include any lands now belonging to the State, for which the State is not bound for title, provided that this act does not extend to any swamp lands of this State.'

The protest will show, that there is nothing in the resolution which justifies the passage of the bill, as will be seen by contrasting the resolutions with the grant which it is proposed to confirm.

The resolutions authorize Mr. Stanmire, "to locate lands subject to entry under existing laws"

The lands located, and which have been included in the grant, were not subject to entry "under existing laws," but lands that the "existing laws" prohibited the entry of.

The language used in the resolution, proves, that the location was required to be made in a county where an entry office had been established, and an entry taker appointed, which the "existing laws" required.

In Cherokee county, where the location was made, no entry office had been established and no entry taker appointed. The resolution authorized the location of lands, worth ten cents per acre, which amounted to \$64. The location was made on lands worth \$12 50 per acre, which amounted to \$8,000, that is only \$7,736 more than the committee reported in favor of Ailsey Medlin, and the evidence is now in this city, which proves that Mr. Stanmire, after the report of the committee was made, complained that the resolution was illiberal, because it only authorized the entry of lands worth ten cents per acre.

The resolutions authorized the entry of lands for which the State was not bound for title.

Mr. Stanmire therefore had no right to locate any lands which had been previously entered by any other person, notwithstanding no grants had issued, because the State would be bound for title.

The lands included in the grant were sold in 1838, by the Commissioners appointed under the act of 1836: One eighth of the purchase money was paid down, and bonds given for the remainder, and the purchasers or their assignees have been in possession from that time to the present. By the act of 1850 '51, those purchasers were authorized to have their lands assessed by a Board of Commissioners appointed by the Governor, and to give new bond and security, to be approved of by the agent of the State, for the value of the land, and upon that being done the agent was authorized to cancel the bonds. This provision of the act, the follow-

ing letter from the agent proves to have been complied with. It is post-marked at Franklin, and bears date 13th November, 1852, addressed to me at this place.

“SIR: At the request of Stephen Whitaker, I submit to you the following facts, viz: On the 6th instant, I received a letter from Mr. Stanmire, requesting me not to dispose of the lands on Oalby River, of which the State had made him a grant. Three days previous to receiving the letter, I had permitted Stephen Whitaker, (son-in-law of David Taylor,) on presenting the certificate of valuation, to take up the Robeson and Taylor part of said land. I acted on the authority of the certificate, together with the decision of the Supreme Court; with these facts before me, I could not resist Whitaker's demands. Mr. Stanmire writes me that he is prosecuting his claims before the Legislature with a strong probability of having his grant confirmed. I suppose Mr. Whitaker's object is for you, as the representative of the District, to know the facts in the case, so that you might be prepared to resist any unfair measure likely to prejudice his interest.”

Signed,

JACOB SILER,

Agent of Cherokee Lands.

In the decision of the Supreme Court, referred to in the letter of the agent, (B. H. Stanmire vs John A. Powell and others,) Judge Ruffin delivered the opinion of the Court, from which the following extracts are taken, which decision was made in the Superior Court of Cherokee county, at the fall term of 1851; and by an appeal, was taken to the Supreme Court. In delivering the opinion of the Court, Judge Ruffin says: “This question is, as to the validity of the grant to the lessor of the Plaintiff, (B. H. Stanmire.) When the law forbids the entry of vacant lands, in a particular tract of county, a grant for a part of such land is absolutely void, and that may be shown in ejectment. These entries in the Cherokee boundary were forbidden by

the acts of 1778 and 1783, and consequently the grants were held to be void, (Avery vs. Strother, Conf. Rep. 434, Strother vs. Cathey, 1 Murph. 102.) "It could not have been the purpose of the Legislature to give this person land which she sold to another.

The Supreme Court decided the grant void, and that the State is bound to the purchasers, now residing on the land. Hence, application is made to the Legislature to confirm the grant which was decided void, and to divest the title of the purchasers.

II. I protest against this being done, because, in addition to the reasons stated, it is an interference of the Legislative branch of the government with the Judicial branch, in violation of the 4th Section of the Bill of Rights, which declares, "That the Legislative, Executive, and Supreme Judicial powers of Government ought to be forever separate and distinct from each other."

The passage of the bill being intended to reverse that decision is, it is believed, a violation of the Bill of Rights, which forms a part of the Constitution, because it gives the Legislative branch control over the judiciary branch of the Government, which our ancestors determined should be independent, and to act as a check upon hasty and unconstitutional legislation.

III. Because, permitting the Legislature to supervise and control the decisions of the Supreme Court, has a tendency to cause the legal counsel of unsuccessful clients, of which the present case furnishes an example, to become members of the General Assembly, and be placed on the Judiciary Committees of both branches of the Legislature, where it is difficult, if not impossible, to divest themselves of previously formed opinions in favor of their clients, when they exercise much influence with their brother lawyers in procuring favorable reports from those committees, which exert upon questions of law almost an unlimited influence in favor of their clients, to the prejudice of the adverse parties, whose attorneys are not members of the Legislature.

The passage of this bill may operate against the class of the community engaged in the practice of the law, by aiding to pass a champerty law, like that passed by the State of Tennessee, that prohibits contracts being made with attorneys for contingent fees, which notwithstanding such a law may be regarded as necessary to protect the interests of the people, might be considered by those engaged in the practice of the law as diminishing the profits of their profession.

IV. Because the passage of the bill is believed to be a violation of the 5th section of the 1st article of the Constitution of the State, which is in the following words, viz:—"The General Assembly shall not pass any private law, unless it shall be made to appear thirty days notice of application to pass such law shall have been given, under such directions and in such manner as shall be provided by law." The notice herein required has not been given to enable the purchasers of the land included in the grant, to know that application would be made to this General Assembly, to divest their rights, and to confirm the grant to Stanmire.

V. Because it is believed to be a violation of the 12th section of the Declaration of Rights of individuals, which is in these words: "That no freeman ought to be taken, imprisoned, or seized of his freehold, liberties or privileges, or outlawed, or exiled, or in any manner destroyed, or deprived of his life, liberty or property, but by the law of the land."

VI. Because it is believed to be a violation of the 14th section of the Declaration of Rights, which is in these words: "That at all controversies at law, respecting property, the ancient mode of trial by jury is one of the best securities of the rights of the people, and ought to remain sacred and inviolable." The passage of the bill prevents the decision between B. H. Stanmire and the purchasers of the land, included in the grant, remaining "sacred and inviolable."

VII. Because it is believed to be the exercise of a power prohibited by the 10th section of the first article of the Constitution of the United States, which is in the following words, viz :

“ No State shall enter into any treaty,” &c., “ pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts.”

As there is a subsisting contract existing between the State of North Carolina and David Taylor and the other purchasers of the Cherokee lands, included in the Stanmire grant, under the acts of 1836, and 1850-'51, which the present bill proposes to impair, it is believed to be a violation of this clause of the Constitution.

VIII. Because it is believed that the bill proposes to take the private property of the purchasers of Cherokee bonds, which is included in the Stanmire grant, without making compensation therefor, which is a violation of the 5th article of the amended Constitution of the United States, which is in the following words, to wit :

“ No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of grand jury,” &c, “ nor shall any person be subject, for the same offence, to be twice put in jeopardy of life or limb ; nor shall he be compelled in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law ; nor shall private property be taken for public use, without just compensation.

IX. Because, it is a dangerous precedent, to make the State liable to pay for all the escheated property which has, under the acts of the General Assembly, been transferred to the University. Independent of the large amount of es-

cheated property of other description, which has been received by the University, and applied to the use of that institution, the Secretary of State reports that 562 warrants of officers and soldiers of the continental line of the revolution, have been transferred to the University; of that number, the bill proposes to pay for one of those claims \$8,000. There will then be to be legislated on and paid 561 of the same description of claims, and if the same allowance be made for them, as is made to B. H. Stanmire, it will require the enormous sum of \$4,488,000 to pay those Claims.

X. Because, after you have once opened the door for these claims, by the passage of the bill, in favor of B. H. Stanmire, can the members who vote for it, refuse at future Legislatures, to allow the balance of the 561 claims for warrants of the same description, supported by the same evidence; and if you do not, you will have to repudiate the act now passed in favor of B. H. Stanmire.

XI. Because the tax, which must be levied to satisfy those claims, if the policy now adopted be continued, will operate oppressively on the people, and be regarded by them as a tax on the *many* for the benefit of the *few*. Because, not more than one citizen of the State, out of every three thousand, derives any benefit from that institution, the high price of tuition confining its benefits principally to one class of society, while all classes will be taxed to pay off the claims against it for escheated property.

XII. Because the twenty-nine hundred and ninety nine, out of every three thousand citizens of the State, who receive no benefit from the University, ought not to be taxed for the purpose of raising \$4,488,000, to satisfy unjust claims against that institution.

XIII. Because the bill proposes to transfer eight thousand dollars, pledged by the act of 1848-'9, for the use of

constructing the Western Turnpike, owned exclusively by the State, to the use of paying one of those Galphin claims, to the assignees of B. H. Stanmire, who are among the wealthiest men in the county of Burke.

And for the reasons assigned, I enter this my protest against the passage of the bill.

WM. H. THOMAS.

Of the Senate, representing the Counties of Haywood, Jackson, Macon and Cherokee.

Received a message from the House of Commons, informing that they have acted on all the business before them, and are now ready to adjourn *sine die*.

On motion of Mr. Clark,

Ordered, That a message be sent to the House of Commons, informing that body, that the Senate is also ready to adjourn *sine die*.

The following resolution, which was introduced by Mr. Joyner, a few days since, and, at his request laid on the table, was now called up and unanimously adopted, viz :

Resolved unanimously, That the, thanks of the Senate are due, and are hereby respectfully tendered to the Honorable Weldon N. Edwards, for the able, dignified, and impartial manner in which he has discharged his various duties as presiding officer of the Senate during the present session.

Whereupon, the Speaker addressed the Senate as follows :

Senators :

The resolution just read affords the most gratifying assurance that my endeavors, faithful I hope they have been,

to discharge worthily and acceptably to you the duties confided to me, have not been altogether unavailing.

To the public man, the approbation of those he has served, is his highest reward. For your generous bestowal of that reward upon my poor efforts in the Chair, and the indulgence, at all times, kindly extended to me, I pray you to accept my profound acknowledgments.

With the examples of decorum, courtesy and dignity which have marked all the deliberations of the Senate, the task of your presiding officer could not have failed to be of easy performance. To such helps, and not to any merit of my own, I feel that I am indebted for whatever of success I may have attained. As for my poor self, give me leave once, but respectfully, to say, that in all I have done or said as the incumbent of this Chair, I have been prompted by motives, whose object was, singly and exclusively, my country's good.

If, Senators, in the course of our deliberations, any irritation has been occasioned, or any unkind expressions escaped us, let us, in the spirit of generous friendship, throw over them the mantle of forgetfulness, and recollect only the pleasures arising from association, and the consciousness, which I am sure pervades the bosom of every one, that all have been actuated by a high sense of public duty.

We are now about to separate, many of us, perhaps, for the last time. I can not take leave of you, without offering you, in all the sincerity of my heart, my fervent prayers, that the results of our labors may command the hearty *well done* of our constituents, and eminently redound to the honor, prosperity and welfare of our beloved State.

I wish each and all of you a speedy and safe return to your families and friends, and that you and they may enjoy a long life of peace, health and happiness.

It remains for me only to announce that the Senate stands adjourned *sine die*.

Whereupon, the Senate adjourned without day.

By Order.

WELDON N. EDWARDS.

Speaker of the Senate.

JNO. HILL, Clerk.

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JOURNAL OF HOUSE OF COMMONS.

At a General Assembly of the State of North Carolina, begun and held in the city of Raleigh, on Monday, the 4th day of October, A. D. one thousand eight hundred and fifty-two, and the 77th year of the Independence of the U. States of America, being the day appointed by the Governor and his Council, in his proclamation of 25th August, 1852, the following members of the House of Commons appeared according to law, viz :

Anson—A. J. Dargan, Cary Tolson
Ashe—B. C. Calloway
Beaufort—J. R. Stubbs, W. H. Tripp
Bertie—J. B. Cherry, S. B. Spruill
Bladen—J. G. Dugald.
Brunswick—H. H. Watters
Buncombe—James Lowry, John A. Fagg
Burke and McDowell—W. W. Avery, J. S. Erwin
Cabarrus—W. S. Harris, John Shimpock
Caldwell—E. P. Miller
Camden—Caleb Barco
Carteret—D. W. Whitehurst
Caswell—S. P. Hill, W. Long
Chatham—J. F. Rives, R. C. Cotton, Turner Bynum
Cherokee—Charles M. Styles
Chowan—H. W. Collins
Cleaveland—A. W. Burton
Columbus—Forney George
Craven—R. A. Russell, C. B. Wood
Cumberland—James C. Dobbin, Geo. W. Pegram

Currituck—S. B. Jarvis
Davidson—James M. Leach, W. Harris
Davie—B. S. Garther
Duplin—W. E. Hill
Edgecombe—W. Ellis.
Franklin—P. Hawkins, Jr., W. K. Martin
Gates—Mill: H. Eure.
Greene—B. F. Williams
Granville—J. S. Amis, Willie Perry, W. H. Lyon
Guilford—Calvin Johnson, D. F. Caldwell, C. H. Wiley
Halifax—R. H. Smith, J. D. Perkins
Haywood—Robert G. A. Love
Henderson—John Baxter
Hertford—W. L. Daniel *Seniel*
Hyde—R. I. Wynne
Iredell—Dr. Adams, W. Turner, V. Teague
Johnston—W. H. Saunders, Simon Godwin
Jones—W. P. Ward
Lenoir—William Sutton
Lincoln, Gaston and Catawba—W. Lander, H. Sherrill, John H.
Wheeler, James A. Caldwell
Macon—Stephen Munday
Martin—A. S. Mooring
Mecklenburg—W. Black, J. A. Dunn, John Ingram
Moore—W. Barrett
Montgomery—Mr. Simons
Nash—J. W. Bryant
New Hanover—Robert Strange, John A. Corbett
Onslow—E. W. Fonville
Orange and Alamance—B. L. Durham, S. F. Phillips, Josiah Turner
Pasquotank—G. Brooks
Perquimans—Jonathan Albertson
Person—James Holeman
Pitt—W. J. Blow, John I. Foreman
Randolph—W. J. Long, Jesse Thornburgh
Richmond—Daniel C. McIntyre
Robeson—W. McNeill, J. Alford
Rockingham—Alfred M. Scales, Alfred Reid
Rowan—Wm. A. Walton, Levi Trexler
Rutherford—Ladson A. Mills, C. J. Webb
Sampson—A. B. Chesnut, Amos Herring
Stanly—John Furr
Surry and Yadkin—R. C. Puryear, James Gwynn, J. H. Dobson
Stokes and Forsythe—J. E. Mathews, Henry Marshall, J. A. Waugh.

Wake—R. M. Saunders, G. H. Wilder, W. A. Allen

Warren—Thomas H. Christmas, Sam'l A. Williams

Wilkes—L. B. Carmichael, C. L. Cook

Wayne—W. J. Dortch, Etheldred Sauls

Yancy—Cor. R. Byrd.

A quorum being present, Mr. Joseph B. Cherry moved to go into an election for Speaker, and nominated John Baxter of Henderson, and, on motion of S. P. Hill, of Caswell, James C. Dobbin, of Cumberland, was added to the nomination.

W. W. Avery of Burke, moved to adjourn till to-morrow 10 o'clock; which was not carried.

W. W. Avery then moved to take a recess till this afternoon 3 o'clock.

Which was not carried.

Whereupon the House proceeded to the election of Speaker, which resulted as follows :

FOR MR. BAXTER.

Messrs. Tolson, Stubbs, Tripp, McDugald, Lowry, Fagg, Shimpock, Harris, Barco, Whitehurst, Bynum, Styles, Leach, Harris, Gaither, Erwin, B. F. Williams, Collins, Amis, Perry, Wiley, D. F. Caldwell, Johnson, Perkins, Smith, Daniel, Wynne, Teague, Turner, Adams, Sanders, Godwin, Caldwell, Spruill, Cherry, Walters, Simons, Turner, Phillips, Brooks, Albertson, Holman, Blow, Long, Thornburg, McIntyre, Alford, Trexler, Mills, Webb, Furr, Puryear, Gwynn, Matthews, Carmichael, Cook, Erwin, Calloway, Miller, and Dargan—60.

FOR MR. DOBBIN.

Messrs. Hill, Long, Rives, Cotton, Burton, George, Russell, Wood, Pegram, Jarvis, W. B. Hill, Ellis, Hawkins, Martin, W. H. Lyon, Love, Ward, Sutton, Lander, Sherrill, Wheeler, Munday, Mooring, Dunn, Ingram, Black, Barrett, Bryant, Strange, Corbett, Fonville, Durham, Foreman, McNeill, Seales, Reid, Walton, Chesnutt, Herring, Dobson, Marshall, Vaughn, R. M. Saunders, Wilder, Allen, S. A. Williams, Christmas, Dortch, Sauls, Byrd and Avery—51.

Mr. Baxter having been declared elected Speaker, was conducted to his seat, by Messrs. Cherry and Hill, and made an appropriate address to the House.

Mr. Blow, of Pitt, then introduced the following resolution.

Resolved, That Perrin Busbee of Wake, be appointed principal, and James R. Dodge of Surry, assistant Clerk of the House of Commons.

Mr. Caldwell, of Guilford, moved to lay the resolution on the table, pending which motion, Mr. S. P. Hill, of Caswell, moved to adjourn till 10 o'clock, to-morrow.

Mr. Puryear, of Surry, called for the yeas and nays, which were ordered.

Those who voted in the affirmative are :

Messrs. Hill, Long, Rives, Cotton, Burton, George, Russell, Wood, Dobbin, Pegram, Jarvis, W. E. Hill, Ellis, Hawkins, Martin, Lyon, Love, Ward, Sutto, Lander, Sherrill, Wheeler, Munday, Mooring, Dunn, Ingram, Black, Bryant, Strange, Corbett, Fonville, Durham, Blow, Foreman, McNeill, Scales, Reid, Watton, Mills, Chesnut, Herring, Dobson, Marshall, Waugh, R. M. Saunders, Wilder, Allen, S. A. Williams, T. H. Christmas, Dortch, Sauls, Byrd, Avery—53.

Those who voted in the negative are :

Messrs. Tolson, Stubbs, Tripp, McDugald, Lowry, Fagg, Shimpock, Harris, Barco, Whitehurst, Bynum, Styles, Leach, Harris, Gaither, Eure, Williams, Collins, Amis, Perry, Wiley, Caldwell, Johnson, Perkins, Smith, Daniel, Wynne, Teague, Turner, Adams, Sanders, Godwin, J. A. Caldwell, Spruill, Cherry, Walters, Simons, Turner, Phillips, Brooks, Albertson, Holeman, W. J. Long, Thornburg, McIntyre, Alford, Trexler, Webb, Furr, Puryear Gwynn, Dargan, Carmichael, Cook, Erwin, Calloway, Miller.—57.

The House having refused to adjourn, Mr. Caldwell withdrew his motion to lay upon the table. The question then re-

curing on Mr. Blow's resolution, Mr. Dargan of Anson, moved to strike out the name of Perrin Busbee, of Wake, and insert that of Stephen D. Pool, of Pasquotank.

The question being divided, on motion of Mr. Cherry, the vote was taken on striking out, which resulted as follows :

Those who voted in the affirmative are :

Messrs. Dargan, Tolson, Stubbs, Tripp, McDugald, Lowry, Fagg, Shimpock, Harris, Barco, Whitehurst, Bynum, Styles, Leach, Harris, Gaiher, Erwin, B. F. Williams, Collins, Amis, Perry, Wiley, D. F. Caldwell, Johnson, Perkins, Smith, Wynne, Teague, Turner, Adams, Sanders, Godwin, Caldwell, Spruill, Cherry, Watters, Simons, Turner, Phillips, Brooks, Albertson, Holeman, Long, Thornburg, McIntyre, Alford, Trexler, Webb, Furr, Puryear, Gwinn, Matthews, Carmichael, Cook, Erwin, Calloway and Miller, Daniel.—58.

Those who voted in the negative, are :

Messrs. Hill, Long, Rives, Cotten, Burton, George, Russell, Wood, Pegram, Jarvis, W. E. Hill, Ellis, Hawkins, Martin, W. H. Lyon, Love, Ward, Sutton, Lander, Sherrill, Wheeler, Munday, Mooring, Dunn, Ingram, Black, Barrett, Bryant, Scales, Reid, Walton, Chesnutt, Herring, Dobson, Marshall, Waugh, Saunders, Wilder, Allen, S. A. Williams, Christmas, Dortch, Sauls, Blow, Byrd, Mills Avery, Strange, Co. bett, Fouville, Duchan, Foreman, and McNeill.—53.

The question then recurring upon inserting the name of S. D. Pool, of Pasquotank, the yeas and nays were ordered, on call of Mr. Hill, of Caswell.

Those who voted in the affirmative are :

Messrs. Dargan, Tolson, Stubbs, Tripp, McDugald, Lowry, Fagg, Shimpock, Harris, Barco, Whitehurst, Bynum, Styles, Leach, Harris, Gaiher, Erwin, B. F. Williams, Collins, Amis, Perry, Wiley, D. F. Caldwell, Johnson, Perkins, Smith, Daniel, Wynne, Teague, Turner, Adams, Sanders, Godwin, Caldwell, Spruill, Cherry, Watters, Simons, J. Turner, Phillips, Brooks, Albertson, Holeman, Long, Thornburg, McIntyre, Alford, Trexter, Webb, Furr, Puryear, Gwynn, Matthews, Carmichael, Cook, Erwin, Calloway, Miller.—58.

Those who voted in the negative are :

Messrs. Hill, Long, Rives, Cotton, Burton, George, Russell, Wood, Pegram, Jarvis, W. E. Hill, Ellis, Hawkins, Martin, Lyon, Love, Ward, Sutton, Lander, Sherrill, Wheeler, Munday, Mooring, Dunn, Ingram, Black, Barrett, Bryant, Blow, Strange, Corbett, Fonville, Durham, Foreman, McNeill, Scales, Reid, Walton, Chestnut, Mills, Herring, Dobson, Marshall, Waugh, Saunders, Wilder, Allen, S. A. Williams, Christmas, Dorich, Sauls, Byrd and Avery—53.

The resolution of Mr. Blow, as amended, was then adopted.

Motion was made to go into the election of Doorkeeper, whereupon Mr. Spruill nominated W. R. Lovell, of Surry, and Mr. Sherrill, of Lincoln, nominated Mr. Anderson.

The vote being then taken, resulted as follows :

FOR MR. LOVELL.

Messrs. Speaker, Dargan, Tolson, Stubbs, Tripp, McDugald, Fagg, Shimpock, Harris, Barco, Whitehurst, Cotton, Bynum, Styles, Leach, Harris, Gaither, Eure, Williams, Amis, Perry, J. Turner, Phillips, Brooks, Albertson, Holeman, Long, Thornburg, McIntyre, Mills, Wynne, Trexler, Webb, Furr, Puryear, Gwynn, Dobson, Matthews, Waugh, Marshall, Sanders, Wiley, D. F. Caldwell, Johnson, Perkins, Smith, Love, Daniel, Teague, Adams, Saunders, Godwin, Munday, Spruill, Cherry, Watters, Simons, Bryant, McNeill, Carmichael, Collins, Erwin, Calloway, Miller, Pegram, Martin, Caldwell, Cook, Rives, and Lowry—70.

FOR MR. ANDERSON.

Messrs. Sherrill, Wheeler, Avery, Dobbin, Durham, George, Jarvis, Strange, Fonville, Scales, Reid, Walton, Hawkins, Christmas, Burton, Lander, Ellis, Hill, Williams, Sutton, Barrett, Lyon, Black, Ingram, Dorich, Sauls, Dunn, Foreman, Herring, Mooring, Hill, Long, Ward, Russell, Bryant, Chesnut—36.

Motion was then made by Mr. Dargan, to go into the election of assistant Doorkeeper.

Mr. Dargan nominated Mr. Kendall, of Stanly, and on motion of S. P. Hill of Caswell, the name of Mr. Webster was

added to the nomination, and Mr. Durham nominated Mr. Couch.

The vote was then taken, and resulted as follows:

FOR MR. KENDALL.

Messrs. Dargan, Tolson, Stubbs, Tripp, McDugald, Lowry, Fagg, Shimpock, Barco, Whitehurst, Gaither, Eure, B. F. Williams, Collins, Amis, Perry, Wiley, D. F. Caldwell, Johnson, Perkins, Smith, Love, Daniel, Wynne, W. Sanders, J. A. Caldwell, Spruill, Cherry, Walters, Simons, Turner, Brooks, Albertson, Holeman, Long, Thornburg, McIntyre, Alford, Trexler, Webb, Furr, Puryear, Gwynn, Carmichael, Cook, Erwin, Calloway and Miller.--48.

FOR MR. WEBSTER.

Messrs. Hill, Long, Rives, Cotton, Bynum, Styles, Burton, George, Russell, Wood, Dobbin, Pegram, Jarvis, W. E. Hill, Ellis, Hawkins, Martin, Lyon, Teague, Turner, Adams, Godwin, Ward, Sutton, Lander, Sherrill, Wheeler, Munday, Mooring, Dunn, Ingram, Black, Barrett, Bryant, Strange, Corbett, Fonville, Foreman, Scales, Reid, Walton, Mills, Chesnutt, Herring, Dobson, Matthews, Marshall, Waugh, Saunders, Wilder, Allen, S. A. Williams, Christmas, Dortch, Sauls, Byrd, Avery, Durham, Phillips.--59.

FOR MR. COUCH.

Noné.

On motion of J. D. Perkins, of Halifax, the House adjourned till to-morrow 10 o'clock.

TUESDAY, OCT. 5th.

The House having been called to order, Messrs. J. L. Jones, of Tyrrell, C. Phelps, of Washington, and B. F. Lockhart, and John B. Bynum, of Northampton, appeared, presented their credentials and were qualified.

The first business of the morning was the following resolutions of Mr. D. F. Caldwell, of Guilford:

Resolved, That the Door keeper of the House be required to purchase and hang baize curtains to the upper windows of this Hall, for the the temporary use thereof.

The rule was suspended, and the resolution was read the second and third times and passed.

On motion of Mr. Cherry, of Bertie,

Resolved, That a message be sent to the Senate, informing that body of the organization of the House of Commons, and of their readiness to proceed to dispatch the public business.

On motion of Mr. Wheeler of Lincoln,

Resolved, That the rules of the House of Commons, of the last session, be adopted for the temporary government of this House; also,

Resolved, That a committee of five be appointed to prepare and report rules for the government of the House.

The Speaker appointed Messrs. Wheeler, Puryear, Cherry, Dobbin and Leach, to compose said committee.

On motion of Mr. S. P. Hill,

Resolved, That a message be sent to the Senate, propo-

sing to raise a Joint Select Committee of two on the part of each house, to take into consideration the furnishing of each House, in a manner suitable to the comfort and convenience of the members thereof.

Received from the Senate a message, giving notice of the due organization of that body.

On motion of Mr. W. K. Martin, of Franklin,

Resolved, That a message be sent to the Senate, proposing to raise a Joint Select Committee of two on the part of each House, to wait on his Excellency, the Governor, and inform him of the organization of the two Houses, and their readiness to receive any communication he might have to make them.

The Speaker appointed Messrs. Martin and Phillips to form said committee on the part of the House.

Received a message from the Senate, concurring in the proposition to raise a Joint Select Committee on the part of each House, to wait upon his Excellency, the Governor, and informing that Messrs. Brogden and Joyner constitute the Senate's branch of that committee.

Received from the Senate, a message, transmitting the following communication, which was read for information :

State of North Carolina,
Office of Secretary of State, }
October 5th, 1852. }

To the Hon'l, the General Assembly:

Gentlemen :

Mr. Seaton Gales has contracted for the Public Printing,

which shall be required to be done by either or both Houses of the present General Assembly, jointly or separately.

Very respectfully,

Your ob't. servant,

W. HILL.

On motion of Mr. E. P. Miller of Caldwell,

Resolved, That a message be sent to the Senate, proposing to go forthwith into the election of engrossing Clerk.

Mr. Wheeler moved to lay the resolution upon the table, which motion prevailed.

Mr. Phillips, on behalf of the Joint Select Committee, appointed to wait on his Exeellency, Governor Reid, and to inform him of the organization of the Legislature, reported that the Governor would, at 12 o'clock to-day, make a communication to the General Assembly in writing.

Received from his Exeellency, Governor Reid, by the hands of W. H. Jones, private Secretary, the following communication; which having been read, on motion of Mr. Dobbin, it was ordered that the same be transmitted to the Senate with the accompanying documents, and with a proposition that the message be printed, five copies for each member.

SPECIAL MESSAGE.

To the Hon., the General Assembly of the State of North Carolina :

The meeting of the Legislature affords a fit occasion for the expression of deep-felt gratitude, to an all-wise Provi-

dence for the many blessings bestowed upon us, as a Republic, as a State, and as a People.

With the advice of the Council of State, it was deemed absolutely necessary to call a meeting of the General Assembly, at an earlier day than was provided for the regular meeting thereof, for the purpose of having Legislative action, in relation to the election of Electors of President and Vice President of the United States.

This necessity arose in consequence of the action of Congress apportioning the members of the House of Representatives among the several States, according to the census of 1850, by which the State of North Carolina will be entitled to only ten electoral votes, while the present act of assembly provides for the election of eleven Electors.

The communication of the Executive to the Council of State, and the proceedings of that body thereon, and the official certificate of the Secretary of the Interior, in relation to the appointment under the seventh census, are herewith transmitted.

Laying of the State into Districts, would impose the necessity on the people of new nominations of candidates for electors; which, for want of sufficient intervening time would operate very inconveniently at the ensuing election. It is therefore recommended that an act be passed, providing for the election on the Tuesday, after the first Monday in November next, of ten Electors of President and Vice President; that the existing laws, prescribing the qualification of voters, the manner of holding elections and making returns, as well as the penalty for illegal voting, be continued in force.

The constitution requires the Senatorial Districts to be laid off by the General Assembly, at its first session, after the year one thousand eight hundred and fifty one, and tha

the apportionment of the House of Commons shall be made at the respective periods, when the Districts for the Senate are directed to be laid off.

In regard to amendments to the constitution, by legislative enactment, it is provided in the constitution, that, if after such publication, the alteration proposed by the preceding General Assembly, shall be agreed to, *in the first session thereafter*, by two thirds of the whole representation in each House of the General Assembly, after the same shall have been read three times on three several days in each House, the said General Assembly shall prescribe a mode by which the amendment or amendments may be submitted to the qualified voters for the House of Commons throughout the State &c.

It is respectfully submitted whether public convenience will not be promoted by repealing for the session, the law requiring the meeting of the General Assembly, on the third Monday in November, and proceeding to act on the ordinary business of legislation, thereby having but one instead of two sessions. Should the General Assembly decide to adopt this course, when informed of that fact, my regular message will be communicated accordingly.

DAVID S. REID.

On motion of Mr. Dobbin, of Cumberland, the House adjourned till to-morrow 10 o'clock.

WEDNESDAY, OCT. 6th.

The following resolution of Mr. Wheeler, of Lincoln, was read and adopted.

Resolved, That a message be sent to the Senate, proposing to raise a joint select committee of five, on behalf of this body, and three on behalf of the Senate, to prepare and report rules for the Government of the intercourse between the two Houses.

The Speaker appointed Messrs. Wheeler, Walters, Avery, Wynne and Adams, as the Committee on the part of the House.

The Committee, to whom was confided the duty of preparing rules and orders, for the Government of the House, through their chairman, Mr. Wheeler, of Lincoln, submitted the following report, which was adopted :

RULES AND ORDER

OF CONDUCTING BUSINESS IN THE HOUSE OF COMMONS.

TOUCHING THE DUTY OF THE SPEAKER.

1. He shall take the Chair every day precisely at the hour to which the House, on the preceding day, shall have adjourned ; shall immediately call the members to order, and on the appearance of a quorum, cause the Journal of the preceding day to be read.

2. He shall preserve decorum and order ; may speak to

points of order in preference to other Members, rising from his seat for that purpose ; and shall decide questions of order, subject to an appeal to the House by any Member ; on which appeal no Member shall speak more than once, unless by leave of the House.

3. He shall rise to put a question, but may take it sitting.

4. Questions shall be distinctly put in this form, viz : "As many as are of opinion that, (as the question may be,) say Aye : and after the affirmative voice is expressed, "As many as are of a contrary opinion, say No." If the Speaker doubt, or a division be called for, the House shall divide : Those in the affirmative of the question, shall rise from their seats ; and afterwards, those in the negative. If the Speaker still doubt, or a count be required, the Speaker shall name two Members, one from each side of the question, to tell the Members in the affirmative ; which being reported, he shall then name two others, one from each side of the question, to tell those in the negative ; which being also reported, he shall rise and state the decision to the House.

5. The Speaker shall examine and correct the Journal before it is read. He shall have a general direction of the Hall. He shall have a right to name any member to perform the duties of the Chair ; but such substitution shall not extend beyond an adjournment, except in case of sickness.

6. All Committees shall be appointed by the Speaker, unless otherwise specially directed by the House.

7. In all elections, the Speaker shall vote. In other cases, he shall not vote, unless the House be equally divided ; or unless his vote, if given to the minority, will make the division equal : in case of such equal division, the question shall be lost.

8. The Speaker shall arrange the orders of the day unless the House shall otherwise direct.

9. All Acts, Addresses, and Joint Resolutions, shall be signed by the Speaker; and all writs, warrants, and subpoenas issued by order of the House, shall be under his hand and seal, attested by the Clerk.

10. In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker (or Chairman of the Committee of the Whole) shall have power to order the same to be cleared.

11. No person shall be permitted to come within the bar of the House, unless by the invitation of the Speaker or some Member of the House; and the range of pillars in front of the Speaker's Chair shall be considered the bar of the House.

12. Stenographers, wishing to take down debates, may be admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to effect their object, as shall not interfere with the convenience of the House.

ORDER OF BUSINESS OF THE DAY.

13. The unfinished business in which the House was engaged at the last preceding adjournment, shall have the preference in the Orders of the Day; and no motion or any other business shall be received without special leave of the House, until the former is disposed of. All elections by the House shall be *viva voce*, unless there be but one nominee; in which case, appointments may be made on motion, and on such elections, the roll shall be called a second time for absentees, before the result is announced.

OF DECORUM AND DEBATES.

14. When any Member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address himself to the Speaker.

15. When the Speaker shall call a Member to order, he shall sit down, as also he shall when called to order by another Member, unless the Speaker decide the point of order in his favor. By leave of the House, the Member called to order may clear a matter of fact, or explain, but shall not proceed in debate so long as the decision stands, but by permission of the House. Any Member may appeal from the decision of the chair; and, if upon the appeal, the decision be in favor of the member called to order, he may proceed. If otherwise, he shall not, except by leave of the House; and if the case, in the judgment of the House, require it, he shall be liable to its censure.

16. When two or more members rise at the same time, the Speaker shall name the Member to speak.

17. No member shall speak more than twice on the same question, without leave of the House.

18. Whilst the Speaker is putting any question, or addressing the House, no person shall speak, stand up, or walk out or across the House; nor, when a member is speaking, entertain private discourse, stand up, or pass between him and the Chair.

19. No member shall vote on any question touching his right to a seat in the House, or on the passage of any private bill or resolution, in the event of which he is immediately and directly interested, or in the case where he was not present when the question was put by the Speaker. Upon a

division and count of the House on any question, no member without the bar shall be counted.

20. Every member who shall be in the House when the question is stated, shall give his vote, unless the House, for special reasons, shall excuse him.

21. When a motion is made and seconded, it shall be stated by the Speaker, or, if written, it shall be handed to the Chair, and read aloud by the Clerk, before debated.

22. Every motion shall be reduced to writing, if the Speaker, or any two members, desire it.

23. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in the possession of the House, but may be withdrawn before a decision or amendment, except in case of a motion to reconsider, which motion, when made by a member, shall be deemed and taken to be in possession of the House, and shall not be withdrawn without leave of the House.

24. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit or amend; which several motions shall have precedence in the order they stand arranged; and no motion to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit or amend, being decided, shall be again allowed on the same day, and at the same stage of the bill or proposition.

25. A motion to adjourn shall always be in order, except when the House is voting, or some member speaking, and shall be decided without debate.

26. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

27. Any member may call for a division of the question, when the same will admit of it; which shall be determined by the Speaker.

28. When a motion has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof, on the same or succeeding day.

29. When the reading of a paper is called for, which has been read in the House, and the same is objected to by any member, it shall be determined by a vote of the House.

30. Petitions, Memorials, and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place; a brief statement of the contents thereof shall verbally be made by the introducer; and shall not be debated or decided on the day of their being first read; unless when the House shall direct otherwise; but shall lie on the table to be taken up in the order they were read.

31. No bill, Petition, Memorial, or other papers that may be introduced, shall be taken out of the possession of the House or sent to the Senate, until the time for reconsideration shall have elapsed.

32. When the yeas and nays are called on any question, it shall be on motion before the question is put, and if seconded, the question shall be decided by yeas and nays; and in taking the yeas and nays, or on a call of the House, the names of the members shall be taken alphabetically.

33. No member shall be called upon for words spoken in the House, but on the day they were spoken. Decency in speech shall be observed, and personal reflections carefully avoided.

34. Any twenty members, including the Speaker, shall be authorised to compel the attendance of absent members.

35. No member or officer of the House shall absent himself from the service of the House, without leave, unless from sickness or inability to attend.

36. Any member may excuse himself from serving on any committee, at the time of his appointment, if he is a member of two standing committees.

37. If any member shall be necessarily absent on any temporary business of the House, when the vote is taken on any question, upon entering the House he shall be permitted, on motion, to vote.

38. No standing rule or order shall be rescinded, altered, or suspended, without one day's notice given of the motion thereof; and to sustain such motion, two-thirds of the House shall be required.

39. The members of the House shall uncover their heads upon entering the Hall whilst the House is in session, and shall continue so uncovered during their continuance in the Hall.

COMMITTEES.

40. Upon motion of any member, there shall be a call of the House, a majority of the members present assenting thereto; and upon a call of the House, the names of the members shall be called over by the Clerk, and the absentees noted; after which the names of the absentees shall again be called over. The doors shall be closed, and those for whom no excuse or insufficient excuses are made, may by order of those present, if fifteen in number, be taken into custody as they appear, or may be sent for and taken into

custody wherever to be found, by messengers appointed for that purpose.

41. Six Standing Committee shall be appointed at the commencement of the session, viz: A committee on Claims; a Committee on Propositions and Grievances; a Committee on Education; a Committee on Agriculture; a Committee on Internal Improvement; and a Committee on Privileges and Elections. Each of said Committees shall consist of eleven members, one from each Electoral district, to be appointed by the members from the counties composing said district. In addition to the above Standing Committees, the Speaker shall appoint another, two members from each Judicial Circuit, to be denominated the Committee on Private Bills.

42. A select Standing Committee, consisting of seven members, shall be appointed at the commencement of the session, by the Speaker, and be denominated "the Committee on the Judiciary."

43. Select Committees shall consist of five members. It shall be the duty of the person first named on any Committee, to cause the members of the Committee to convene when necessary, and when so convened, they shall appoint some one of their number chairman.

44. In forming a committee of the whole House, the Speaker shall leave the chair, and a chairman to preside in committee shall be appointed by the Speaker.

45. Upon Bills committed to a committee of the whole House, the bill shall be first read throughout by the Clerk, and then again read and debated by sections, leaving the preamble to be last considered; the body of the bill shall not be defaced or interlined; but all amendments, noting the page and line, shall be duly entered by the Clerk on a sepa-

rate paper, as the same shall be agreed to by the Committee, and so reported to the House. After report, the bill shall again be subject to be debated and amended by sections, before a question on its passage be taken.

46. All questions, whether in Committee, or in the House, shall be propounded in the order in which they were moved, except that in filling up blanks, the largest sum and longest time shall be first put.

47. The rules of proceeding in the House shall be observed in a committee of the whole House, so far as they may be applicable, except the rule limiting the times of speaking.

48. In a committee of the whole House, a motion that the committee rise, shall always be in order, except when a member is speaking, and shall be decided without debate.

OF BILLS, RESOLUTIONS, &c.

49. Every bill shall be introduced by motion for leave or by order of the House on the report of a committee.

50. Every bill shall receive three several readings in the House previous to its passage; and the Speaker shall give notice at each, whether it be its first, second or third. The first reading of a bill shall be for information, and if opposition be made to it, the question shall be, "Shall this bill be rejected?" If no opposition be made, or if the question to reject be negatived, the bill shall go to its second reading without a question.

51. Upon the second reading of the bill, the Speaker shall state it as ready for commitment or amendment.

52. All bills shall be dispatched in order as they were

introduced ; unless when the House shall direct otherwise : but no public bill shall be twice read on the same day, without the concurrence of two-thirds of the members present.

53 All resolutions which may grant money out of the Treasury, or such as shall be of a public nature, shall be treated, in all respects, in a similar manner with public bills.

54. When a bill is introduced to repeal a public law, or any part thereof, the law, or part intended to be repealed, shall be read at the second reading of the repealing bill ; and shall not be read at any other reading of the said repealing bill, unless required by one-third of the House.

55. When a bill has been once rejected, no other of the same purport shall be introduced again during the session.

56. The Clerk of the House shall be deemed to continue in office until another is appointed.

JOHN BAXTER,

Speaker of the House of Commons.

By order,

S. D. POOL, Clerk.

On motion of Mr. Dobbin, of Cumberland,

Resolved, That a message be sent to the Senate, proposing to raise a joint Select Committee of nine, on the part of the House, and five on the part of the Senate, to whom shall be referred so much of the message of his Excellency, the Governor, as relates to the question of repealing for the session, the existing law, as to the period of the meeting of the General Assembly, and proceeding to act on the ordinary business of Legislation.

2nd. *Resolved*, That a message be sent to the Senate, proposing to raise a joint Select Committee of nine on the part of the House, and five on the part of the Senate, to whom shall be referred so much of the message of his Excellency, the Governor, as relates to the subject of prescribing the mode of electing Electors, to cast the vote of the State of North Carolina for President and Vice President of the United States, and of changing the existing laws in relation thereto.

The Speaker appointed Messrs. Leach, Carmichael, Love, Black, Strange, Amis, Wilder, Albertson and Stubbs, to form the committee on the part of the House, under the first resolution.

Messrs. Dobbin, Fagg, Dobson, Lander, Wiley, J. Turner, Cherry, Dortch, W. H. Sanders, compose the committee on the part of the House, under the second resolution.

A message was received from the Senate, concurring in the proposition to raise a Joint Select Committee on so much of the Governor's message, as relates to adjournment of the General Assembly, and informing the House that Messrs. Caldwell, T. F. Jones, Hargrave, Drake and Albritton form the Senate branch of the committee.

Also, concurring in the proposition to raise a Joint Select Committee, on so much of the Governor's message, as relates to the mode of choosing Electors for President and Vice President, and informing the House that Messrs. Hoke, Kelly, Thomas, Boyd and Woodfin form the Senate branch of the committee.

Mr. Miller, of Caldwell, moved to take from the table and consider the motion submitted by him yesterday, and laid on the table. On motion of Mr. Wheeler, of Lincoln, the question being put, the motion prevailed—Ayes 54, noes 47.

Mr. Wilder, of Wake, moved to amend, by striking out "forthwith," and inserting to-morrow 11 o'clock ; motion lost—Yeas 40, nays 54.

The question then recurring upon the resolution, it was adopted—Yeas 57, nays 46.

A message was received from the Senate, informing the House, that the Senate had laid upon the the table the proposition of the House of Commons, to go forthwith into the election of engrossing Clerk.

The Speaker appointed Messrs. S. P. Hill and Cherry to form the Committee on the part of the House on furnishing each House.

A message was received from the Senate, concurring in the proposition of the House of Commons, to raise a Joint Select Committee on furnishing each House.

Messrs. Bunting and Lillington form the Senate branch of the committee.

The Senate also concur in the proposition to raise a Joint Select Committee on joint rules.

Messrs. Bower, Thompson and Bræden form the Senate branch of the committee.

On motion of Mr. Martin, of Franklin, the House adjourned till to-morrow 12 o'clock.

THURSDAY, Oct. 7th, 1852.

Mr. W. Norfleet, a member elect from the county of Edgecombe, appeared, presented his credentials and was qualified.

Mr. Dobbin, Chairman of the committee, to whom was referred so much of the message of his Excellency, the Governor, as relates to Electors and Electoral Districts, submitted a bill with the following caption :

A bill to provide for the election of Electors of President and Vice President of the United States, in this State, on the Tuesday next after the first Monday in November next, and to amend "an act, providing for the appointment of Electors, to vote for President and Vice President of the United States," (Revised Statutes, chapter 41,) and the act concerning Electors of President and Vice President, passed at the sessions of the General Assembly 1810-'41, chapter 26, and 1842-'43, chapter 26 ; which passed its first reading.

1st. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That so much of the said acts, as provides for the laying off and division of the State into eleven Districts, for the purpose of choosing Electors for President and Vice President of the United States, be, and the same is hereby repealed ; and that the persons qualified to vote for members of the House of Commons, of the General Assembly of this State, shall meet on the Tuesday next, after the 1st Monday in November next, at the place or places by law established in their several counties, for the election of members of the General Assembly, and then, and there, give their votes by ballot for ten discreet persons, one of whom shall be chosen from the State at large, and nine others so chosen, that one shall actually reside within each of the

Districts established in this State, "for the purpose of electing Representatives to the Congress of the United States," by an act of the General Assembly, concerning "the division of the State into Congressional Districts," passed at the session of 1846-'47, chapter 21; and the ten persons for whom the greatest number of votes throughout the State shall appear to have been given as aforesaid, shall be, and they are hereby declared to be electors for, and on behalf of this State, to vote for President and Vice President of the United States, at the ensuing election.

2nd. *Be it further enacted*, That the election of Electors as herein provided for, shall be conducted, in all respects, under the rules and restrictions now in force, by the existing law of the State; and the returns and certificates of election held as aforesaid, shall be made, in the same manner, and under the same penalties, as is now provided for by law, and the several acts, concerning the election of Electors, for President and Vice President of the United States, for this State, shall be, and remain in full force, except as herein before provided.

3rd. *Be it further enacted*, That this act shall take effect and be in force from and after its ratification.

On motion of Mr. Dobbin,

Ordered, That the afore-mentioned bill be printed.

On motion of Mr. Wiley, of Guilford,

WHEREAS, it is required by the constitution of North Carolina, that the Legislature of the State shall be in session on the 1st day of January 1853 to assist in the installation of the Governor elected for two years therefrom;

And whereas the necessary business for which his Excellency, the Governor, properly called us together in extra

session, viz : The laying off of new Electoral Districts, before the next Presidential election, can be quickly dispatched ; and whereas there seems not to be sufficient business to keep the Assembly regularly employed until the 1st January, and thus the people would be taxed for an unusually long and comparatively idle session, of which each day costs the State upwards of five hundred dollars ;

Therefore,

Resolved, That it will be true economy to make this, by special act, the regular session of the Legislature, and to adjourn it, to meet at some future day, in time to do the public business, and to assist in the inauguration of the Governor.

Resolved, That these Resolutions be sent to the Senate with a proposition to adjourn on Monday, the 11th instant, to meet again on the first Monday of December next.

Read the first time and passed, and, on motion of Mr. Wiley, referred to the Committee on adjournment.

On motion of Mr. Leach, of Davidson, the House adjourned till to-morrow 10 o'clock.

FRIDAY, Oct. 8th, 1852.

The bill to arrange the Electoral Districts, introduced yesterday by Mr. Dobbin, of Cumberland, passed its second reading.

Mr. Avery, of Burke, moved that the rule be suspended and that the bill be put on its third reading; which motion prevailed.

The bill was then read a third time and passed.

On motion of Mr. Burton, of Cleveland,

Resolved, That the Doorkeeper of the House provide Ice for the use of the members of this House, while deemed necessary.

Yeas and nays demanded by Mr. Miller, of Caldwell.

Those who voted in the affirmative are :

Messrs. Adams, Avery, Blow, Burton, Byrd, D. F. Caldwell, Calloway, Carmichael, Cherry, Chesnut, Cook, Corbett, Daniel, Dobbin, Dobson, Erwin, Fagg, Fonville, Foreman, Furr, S. P. Hill, W. E. Hill, Jarvis, Johnson, Lander, Leach, W. J. Long, Lowry, Love, Marshall, Mills, Mooring, Munday, McDugald, McIntyre, McNeill, Norfleet, Pegram, Puryear, R. M. Saunders, Scales, Sauls, Simpcock, Simons, Smith, Spruill, Styles, Strange, Teague, J. Turner, W. Turner, Tripp, Waters, Ward, Webb, Wiley, Wilder, Wynne, Dortch and Dunn—61.

Those who voted in the negative, are :

Messrs. Albertson, Alford, Allen, Amis, Barrett, Black, Bryant, T. Bynum, J. B. Bynum, J. A. Caldwell, Christmas, Durham, Ellis, Gaither, George, Godwin, Gwynn, W. S. Harris, W. H. Harris, Ingram, Jones, Lockhart, W. H. Lyon, Martin, Matthews, Miller, Phelps, Phillips, Reid, Rives, Russell, W. H. Sanders, Sherrill, Sutton, Thornburg, Tolson, Trexler, Walon, Waugh, Wheeler, Whitehurst, B. F. Williams, S. A. Williams, C. B. Wood and Perry—45.

Mr. Webb, of Rutherford, introduced the following resolution, which was carried.

Resolved, That the Doorkeeper be directed to cause the flag of the United States to be hoisted each day over the Capitol, during the time this General Assembly may be in session.

Mr. Saunders, of Wake, introduced the following resolutions, which were unanimously adopted.

Resolved, That this House has received, with deep regret, the melancholy intelligence of the death of the honorable William H. Haywood, Jr., a resident of this city, and a distinguished citizen of the State.

Resolved, That the members of the House tender the expression of their deep sympathy to the family and relations of the deceased, on this mournful event, and that they will attend his funeral, at 4 o'clock on this day.

On motion of Mr. Leach, of Davidson, the House adjourned until to-morrow 10 o'clock.

SATURDAY, OCT. 9th, 1852.

On motion of Mr. Dobbin, of Cumberland,

Ordered, That the rule be suspended, in order that the bill which passed its third reading yesterday may be transmitted to the Senate.

Mr. Leach, of Davidson, Chairman of the Joint Select Committee on adjournment, submitted the following Report:

The Joint Select Committee, to whom was referred so much of the Message of His Excellency, the Governor, as relates to the question of repealing, for the session, the existing law as to the period of the meeting of the General

Assembly, and proceeding to act on the ordinary business of legislation; and a resolution declaring that "it will be true economy to make, by special act, this the regular session of the Legislature, and to adjourn to some future day in time to do the public business, and assist in the inauguration of the Governor," have had the same under consideration, and ask leave to report:

The Committee are of opinion that this is "the first session of the General Assembly after the year one thousand eight hundred and fifty-one," when the Senatorial Districts, as required by the Constitution, are to be laid off, and the apportionment of Representatives in the House of Commons made; but should this Assembly adjourn to meet again, on a *day certain*, the acts passed *before* and *after* such adjournment, *taken together*, would constitute the business of one session of the General Assembly only: *provided*, the law requiring that "the meeting of the General Assembly shall be biennially on the third Monday in November," be repealed.

The second and fifth sections under the second article of the amended constitution, raise the questions whether the members of both branches of the General Assembly are not required to be in session on the first day of January next, to be present when the Governor elect shall be installed; and whether, in case they are not, there would arise that "unavoidable cause" which would authorise the Governor to take the oaths of office before the Chief Justice of the Supreme Court, required before entering on the duties of his office.

Taking it for true that the Commissioners appointed at the last session of the Legislature, to revise the Statutes of the State, will not be able to report during the present year, the Committee are satisfied that, to do the public business, it will not be necessary to be continuously in session until the end of the year.

Taking into consideration the questions aforesaid, and the course best to be pursued on the score of economy, the committee recommend that, after the special duty for which the Assembly has been called shall have been discharged, the two Houses adjourn, to meet again on some certain day (to be agreed upon) before the end of the year; and, that this may legally be effected, and the difficulties that might arise be obviated, they have instructed the Chairman to report the accompanying bill, and recommend its passage.

Respectfully submitted,

J. M. LEACH, *Chairman.*

October 9th, 1852.

“A bill, to repeal in part the 25th section of the 52d chapter of the Revised Statutes.”

The bill having been read the first time was passed, and, on motion of Mr. Love, the rule was suspended, and the bill read its second time, when, on motion of Mr. Leach, it was laid upon the table.

Mr. Leach, Chairman of the Joint Select Committee, then offered the following resolution, viz :

Resolved. That a message be sent to the Senate, proposing that the two Houses of the General Assembly adjourn on Monday next, to stand adjourned, until the first Monday in December next.

The resolution having been read, the yeas and nays were called by Mr. Martin, of Franklin.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Amis, Barco, Blow, Brooks, Bynum, J. B. Bynum, Byrd, Caldwell, D. F. Caldwell, Cherry, Collins, Cotton, Corbett, Daniel, Erwin, Eure, Fagg, Furr, Harris, W. H. Harris, Hawkins, Jarvis, Johnson, Jones, Leach, Lockhart, W. J. Long, Low-

ry, Love, Miller, McDugald, Perry, Perkins, Phelps, Rives, Shimpock, Simons, Smith, Spruill, Stubbs, Teague, Thornburg, W. Turner, Tripp, Watters, Ward, Whitehurst, B. F. Williams, Wiley, S. A. Williams, and Wynne.—53.

Those who voted in the negative are :

Messrs. Alford, Allen, Avery, Barrett, Bryant, Burton, Calloway, Carmichael, Chesnutt, Cook, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, Foreman, Gaither, George, Godwin, Gwinn, Herring, S. P. Hill, Hill, Holeman, Ingram, Lander, W. Long, Lyon, Martin, Marshall, Matthews, Mills, Mooring, Munday, McIntyre, McNeill, Norfleet, Pegram, Phillips, Puryear, Reid, Russell, Sanders, R. M. Saunders, Sauls, Scales, Sherrill, Styles, Strange, Sution, Tolson, Trexler, J. Turner, Walton, Waugh, Webb, Wheeler, Wilder, and Wood—61.

On motion, the House adjourned till Monday morning, 10 o'clock.

MONDAY, OCT. 11, 1852.

Mr. Webb, of Ruthertford, moved that the House take a recess of half an hour, to appoint the Standing Committes ; which motion was lost.

Mr. Tolson, of Anson, sent to the Clerk a letter from Aaron Little, resigning his position as a Justice of the Peace for the county of Union ; which was read and accepted.

The following Presentment of the Grand Jurors of the County of Wayne was read and received :

State of North Carolina, } Superior Court of Law,
Wayne County. } Fall Term, 1852.

We, the Grand Jury of the County of Wayne, do present,

that the Courts of Pleas and Quarter Sessions of the State, as at present constituted, are inconvenient and burdensome to the people: and that the jurisdiction of said Courts ought to be so far abridged as to take from them all trials, civil and criminal, where the intervention of a jury may be necessary. And the Grand Jury request that this presentment be transmitted to the General Assembly, now in session.

FOREMAN.

Oct. 9th, 1852.

On motion of Mr. Leach, of Davidson, the bill introduced Saturday by him, as Chairman of the committee on adjournment, was read a second time and passed, and the rules being suspended, on motion of Mr. Love, the bill passed its third reading.

Mr. Wheeler, of Lincoln, Chairman of the committee on joint rules, reported the following :

JOINT RULES

FOR

BOTH HOUSES.

1. Each House shall perfect and finally act on all Bills, Resolutions and Orders, before the same shall be communicated to the other for its concurrence ; and if amended in the House to which it is transmitted, it shall be communicated to the House in which it originated, asking the concurrence of that House in the amendment.

2. In any case of amendment of a Bill, Resolution, or Order agreed to in one House, and disagreed to in the other,

if either House shall request a conference, and appoint a Committee for that purpose and the other House shall also appoint a Committee to confer, each Committee shall consist of an equal number, and they shall meet and state to each the reasons of their respective Houses, for and against the amendment, and confer freely thereon, and make a report in writing to their respective Houses, of the result of their conference.

3. Messages from one house to the other shall be sent by the Clerk Assistant of each House, unless otherwise ordered.

4. When a Message shall be sent from one House to the other, it shall be announced at the door of the House to which it is sent by the Doorkeeper, and shall be respectfully delivered to the Chair, by the person by whom it may be sent.

5. After a bill shall have passed the House in which it originated, it shall be under the signature of the Clerk, and engrossed under his direction and inspection, before it shall be communicated to the other House.

6. After a bill shall have passed both Houses, it shall be duly enrolled, on suitable paper, by the engrossing Clerks, before it shall be presented for ratification.

7. When Bills are enrolled, they shall be carefully examined by a Joint Committee of three from the Senate, and five from the House of Commons, whose duty it shall be, to carefully compare the enrolled with the Engrossed Bills, as passed in the two Houses, and to correct any errors that may be discovered in the enrolled bills, and make their report of the said Bills to the House.

8. After examination and report, each bill shall be ratified

and signed in the respective Houses ; first by the Speaker of the House of Commons, and then by the Speaker of the Senate.

9. All Orders, Resolutions and votes of the Houses shall be examined, engrossed and signed in the same manner as bills.

10. When a bill or Resolution, which shall have passed in one House, is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

11. The Committee in each House shall in all cases, make a statement of facts on which their report is founded ; which statement, with all other papers on which any Bill or Resolution may be formed, shall be transmitted to the other House.

12. The Committee of Finance shall be joint, consisting of eight Members from each House. The Library Committee shall be a joint Standing Committee, consisting of three Members from each House, appointed by the Speakers thereof respectively.

13. In all Joint Committees, the Member first named on the Committee, on the part of the House proposing to raise such Committee, shall convene the same ; and when met they shall choose their own Chairman.

14. Either House may make a reference to any Joint Committee, and all reports shall be made to the House ordering such reference.

15. Whenever either House shall order any paper or document to be printed, it shall be printed in octavo form on good paper and with fair type ; and those documents ordered to be printed by the Senate, shall be printed as " Senate Do-

cuments," and those ordered to be printed by the House of Commons, shall be printed as "House Documents," and numbered in regular order; except when communications are made to either House by the Governor, Treasurer, Comptroller or Secretary of State, and are ordered to be printed, they shall be designated as "Executive Documents,"—and said papers and documents shall be distributed in the following manner: One copy thereof to each Member of the General Assembly; one copy to the Clerks of each House for the use thereof; and ten copies shall be deposited in the Public Library; and the Public Librarian be required to have them neatly bound.

16. All elections requiring a joint vote shall be *viva voce* and a Select Committee of two Members in each House shall be appointed to superintend the same in their respective Houses. After the vote shall have been taken, said Select Committees shall confer together and report the result of such election to their respective Houses.

17. The foregoing rules shall be permanent Joint Rules of the Legislature of North Carolina, until altered or amended.

On motion of Mr. Martin, of Franklin,

Resolved, That a message be sent to the Senate, proposing that the joint rules of the Senate and of the House, together with the Constitution of the United States, and of this State, be printed in pamphlet form, one copy for each member.

On motion, the House then took a recess of half an hour, to appoint the standing committees, under the rules of the House, and the following Committees were appointed:

On Claims.—Messrs. Daniel, Norfleet, Martin, Wood, McIntyre, Rives, D. F. Caldwell, Waugh, Wheeler, Callo-way and Byrd.

On Propositions and Grievances.—Messrs. J. B. Bynum, Mooring, Amis, Ward, Watters, Furr, Holeman, Puryear, W. S. Harris, Carmichael and Lowry.

On Education.—Messrs. Cherry, Stubbs, Wilder, W. E. Hill, McNeill, Pegram, S. P. Hill, Scales, Dargan, Erwin and Burton.

On Agriculture.—Messrs. Lockhart, Tripp, S. A. Williams, Sauls, Fonville, Simons, Wm. Long, Gaither, Sherrill, Miller, Mills.

On Internal Improvements.—Messrs. Brooks, Blow, R. M. Saunders, Russell, Strange, Long, W. J. Turner, Leach, J. A. Caldwell, Avery and Fagg.

On Privileges and Elections.—Messrs. Barco, Wynne, Smith, Sutton, McDugald, Barrett, Durham, Dobson, Dunn, Trexler and Munday.

A message was received from the Senate, proposing to go into the election of an Engrossing Clerk, at half-past eleven o'clock; which was agreed to, and the Senate informed thereof, and that Messrs. Spruill and Dortch form the Committee on the part of the House, to superintend the election, and that Messrs. Harris, Houston, Jenkins, McLean, and Faison are in nomination.

A message was received from the Senate, informing the House, that Messrs. Steele and Cannady form the Senate committee to superintend the Election of Engrossing Clerk.

The hour having arrived, the House proceeded to vote for Engrossing Clerk, as follows :

FOR MR. HARRIS.

Messrs. Speaker, Adams, Albertson, Alford, Amis, Barco, Brooks, T. Bynum, Caldwell, D. F. Caldwell, Calloway, Carmichael, Cherry,

Collins, Cook, Daniel, Dargan, Erwin, Eure, Fagg, Furr, Gaither, Godwin, Gwynn, Harris, W. H. Harris, Holernan, Johnson, Jones, Leach, W. J. Long, Lowry, Matthews, Miller, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Rives, Sanders, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, W. Turner, J. Turner, Walters, Webb, Whitehurst, B. F. Williams, Wiley and Wynne—61.

FOR MR. HOUSTON.

Messrs. Allen, Dobson, Durham, Ellis, Fonville, George, W. E. Hill, Lyon, Pegram, Russell, Sutton, Ward and Wood—13.

FOR MR. JENKINS.

Messrs. Avery, Barrett, Blow, Bryant, J. B. Bynum, Byrd, Dorich, Dunn, Foreman, Hawkins, S. P. Hill, Ingram, Landier, Lockhart, Wm. Long, Love, Martin, Marshall, Mooring, Munday, Norfleet, Phelps, Sauls, Sherrill, Waugh, Wheeler and Wilder—29.

FOR MR. McLEAN.

Messrs. Cotton, McNeill, R. M. Saunders, and S. A. Williams—4.

FOR MR. FAISON.

Messrs. Chesnutt, Corbett, Dobbin, Herring, Jarvis, Mills, Reid, Scales, Strange—9.

Mr. Puryear moved a reconsideration of the vote on the Resolution of Adjournment, offered on Saturday.

Mr. Wheeler moved to lay the motion on the table; which motion prevailed—Yeas 60, nays 48.

A message was received from the Senate, proposing to print in pamphlet form the Constitution of the United States, the Constitution of North Carolina, the Joint Rules of the two Houses, the Rules of the Senate, and the Rules of the House of Commons—one copy for each member of the two Houses; one for each of the Principal and Assistant Clerks; and ten for the Public Library.

The message was concurred in.

Mr. Spruill, on behalf of the committee to superintend the election of Engrossing Clerk, on the part of the House, reported, that there had been 166 votes cast ; that Mr. Harris received 83, Mr. Faison 27, Mr. McLean 5, Mr. Jenkins 36, and Mr. Houston 15 ; and that, as 84 votes were necessary to a choice, there was no election.

Which report was concurred in.

Mr. Martin, of Franklin, moved that a proposition be sent to the Senate, to go forthwith into the election of Engrossing Clerk.

A message was received from the Senate, concurring in the proposition to go into the election of Engrossing Clerk, and informing the House that Messrs. Steele and Cannady form the Senate branch of the committee to superintend the election.

The Speaker appointed Messrs. George and Holeman to superintend the election on the part of the House.

The names of Messrs. Houston, McLean and Faison having been withdrawn, the House proceeded to vote, with the following result :

FOR MR. HARRIS.

Messrs. Speaker, Adams, Albertson, Alford, Amis, Barco, Brooks, T. Bynum, J. A. Caldwell, D. F. Caldwell, Calloway, Cherry, Carmichael, Collins, Cook, Cotten, Daniel, Dargan, Erwin, Eure, Fagg, Furr, Gaither, Godwin, Gwynn, Harris, W. H. Harris, Holeman, Johnson, Jones, Leach, W. J. Long, Lowry, Matthews, Miller, McDugald, Mintyre, Perkins, Phillips, Puyyear Rives, Sanders, Shimpock, Simons, Smith, Spruill, Stuhhs, Teague, Thornburg, Tolson, Trexler, Tripp, W. Turner, J. Turner, Watters, Webb, Whitehurst, B. F. Williams, Wiley and Wynne.—60.

FOR MR. JENKINS.

Messrs. Avery, Barrett, Black, Blow, Bryant, Burton, J. B. Bynum, Chestnutt, Corbett, Dobbin, Dorch, Dunn, Durham, Fonville, Foreman, George, Hawkins, Herring, S. P. Hill, W. E. Hill, Ingram, Jarvis, Lander, Lockhart, W. Long, Love, Lyon, Martin, Marshall, Mills, Mooring, Munday, McNeill, Norfleet, Perry, Phelps, Reid, Russell, R. M. Saunders, Sauls, Scales, Sherrill, Strange, Sutton, Ward, Waugh, Wheeler, S. A. Williams, Wilder, Wood, Dobson, Allen, Ellis and Pegram—54.

The Speaker appointed Messrs. Stubbs, Mooring, Webb, and Hawkins, to compose the Committee on Enrolled Bills for the week.

On motion of Mr. Hill, of Caswell,

Resolved, That a message be sent to the Senate, proposing to raise a Joint Select Committee of two, on the part of each House, to wait upon his Excellency, the Governor, and inform him of the action of the General Assembly, refusing to adjourn, and their readiness to receive any communication he may now have to make to them.

The committee on the part of the House, to superintend the election of Engrossed Clerk, reported that there were 164 votes cast, of which Mr. Harris received 82, Mr. Jenkins, 73, and Mr. Houston 9, and as no one had a majority of all the votes, there was no election; which report was concurred in.

Moved by Mr. Burton, of Cleveland, that the House do now adjourn. Lost.

Moved by Mr. Caldwell, of Guilford, that a message be sent to the Senate, proposing to go forthwith into the election of Engrossing Clerk.

Mr. Waugh, of Stokes, moved to lay the motion on the table; which was not carried.

The question recurring upon the original motion, it was carried.

A message was received from the Senate, informing the House that that body had laid upon the table the proposition to go forthwith into the election of Engrossing Clerk.

Mr. McDugald, of Bladen, introduced a bill concerning the return of civil process in Bladen and Robeson, which was read the first time, passed, and, on motion, laid upon the table.

Also, "a bill to abridge the duties of Grand Jurors in the county of Bladen," which was read the first time, passed, and on motion was laid upon the table.

Mr. Love, of Haywood, introduced "a bill abridging the powers of Grand Jurors." The bill having passed its first reading, Mr. Collins, of Chowan, moved that the bill be printed, which motion was lost.

The bill was then, on motion of Mr. Love, laid upon the table.

On motion of Mr. Caldwell, of Guilford,

Resolved, That the Treasurer of the State be directed to pay Seaton Gales, Esq. thirty-two (32) dollars advanced by him, in payment of postage on Supreme Court Reports, required by law to be furnished the Clerks of the County Courts, in the different Counties of the State.

Resolved, further, That, hereafter, so long as the postage law requires prepayment on all such matter, the treasurer be directed to pay the postage on said reports, authorised as above to be furnished.

The above resolutions having passed their first reading, Mr. Caldwell moved a suspension of the rules and the resolutions passed their second and third reading.

On motion of Mr. Webb, of Rutherford,

Resolved, That the Doorkeepers of the House of Commons occupy during the sitting of this session, the same room that was assigned to the Doorkeepers of the last session, and no other.

On motion of Mr. Burton, of Cleaveland,

Resolved, That the Treasurer of this State be, and he is hereby, authorized to pay Perrin Busbee six dollars for his services as Clerk to the House of Commons.

The foregoing resolution having been read the first time and passed,

On motion of Mr. Burton, the rule was suspended and the resolution passed its second and third readings.

On motion of Mr. Williams, of Warren, the House adjourned until to-morrow 10 o'clock.

TUESDAY, Oct. 12, 1852.

Mr. David Reid, a member elect for the county of Duplin, appeared, and, on motion of Mr. Hill, exhibited his credentials and was qualified.

The Speaker announced the following committees :

On Private Bills.—Messrs. Collins, D. Reid, Sanders, Cotton, Gwynn, Lander, Webb, Love, Alford, George, Johnson, Foreman, B. F. Williams and Jarvis.

Committee on Finance.—Messrs. Cherry, Dobbin, Smith, Norfleet, Watters, Wheeler, W. J. Long and Durham.

Committee on the Judiciary.—Messrs R. M. Saunders, Spruill, Dobbin, Leach, Avery, Phillips Dargan, Dortch, Carmichael, S. P. Hill and McDugald.

Committee on the Library.—Messrs. Wiley, Strange, and Joseph Turner.

On motion of Mr. Waugh, of Stokes,

Resolved, That a message be sent to the Senate, proposing to go into the election of Engrossing Clerk, at half-past 11 o'clock.

Mr. Leach, of Davidson, introduced the following preamble and resolution, which was read the first time and ordered to be laid on the table, and printed.

WHEREAS, the Public Domain of the United States is the common property of all the States, purchased and procured by the common efforts and common treasure of those States, and in which each and all are fairly entitled to participate ; and any appropriation of the Public Lands to particular States, for special and particular purposes in those States, is conducive of unequal, unjust and improper discrimination in the use of a common fund :

AND WHEREAS, the precedent has been set, and the practice obtained in the Congress of the United States, of grant-

ing immense donations of the Public Lands to particular States, for the purpose of internal improvement and education, &c :

AND, WHEREAS, the State of North Carolina, in a spirit of generous patriotism and fraternal policy, ceded to the General Government, a large and valuable portion of the Public Territory, and is, therefore, upon every principle of justice, equality and sound policy, fairly and legitimately entitled to her share of the Public Lands;

Therefore,

Resolved, That our Senators and Representatives in Congress be requested to make application, by bill or otherwise, to that body, for an appropriation to the State of North Carolina, of a fair and equitable portion of the Public Lands, which, when so appropriated, shall be applied to purposes of internal improvement, public education, and in relief of the Treasury and public burdens of the State.

Mr. Phillips, of Orange, introduced "a bill to provide for the distribution of the common school fund, according to the white population of the State;" which passed its first reading, and was ordered to be printed.

A message was received from the Senate, concurring in the proposition to go into the election of Engrossing Clerk, at half-past 11 o'clock, and informing the House that Messrs. Arendell and Drake form the Senate branch of the committee to superintend the election.

The Speaker appointed Messrs. Wynne and Walton to superintend the election on the part of the House.

Mr. Smith, of Halifax, introduced the following preamble and resolution; which was read the first time, and, on motion of Mr. Smith, referred to the Committee on the Judiciary.

WHEREAS, the Constitution of the State declares that the "General Assembly shall meet biennially ;" and whereas, further, the Constitution does not confer upon the Governor the power to convene the General Assembly of the State ; but that the said power is conferred by act of General Assembly.

Therefore,

Resolved, That the convocation of the Legislature, by his Excellency, the Governor, on the first Monday of October, 1852, is not a "session" of the General Assembly, as contemplated by the framers of the Constitution.

Resolved, That the said meeting of the General Assembly, on the said first Monday in October, is not the first session after the year 1851, within the meaning and contemplation of the Constitution.

Resolved, That it is inexpedient to repeal the Statute, section 25th. chapter 52nd, of the Revised Statutes, fixing the third Monday of November, for the meeting of the General Assembly.

Resolved. That the Legislature stand adjourned from and after this day.

A message was received from the Senate, agreeing to the proposition to appoint a Committee to wait on his Excellency, the Governor, and informing the House that Messrs. Boyd and Mitchell form the Senate branch of the Committee.

The Speaker appointed Messrs. S. P. Hill and J. A. Caldwell the Committee on the part of the House.

Mr. McDugald moved that the bill offered by him yesterday, concerning civil process in the counties of Bladen and Robeson, be taken from the table, and referred to the Committee on the Judiciary, which motion was carried.

Also, to take from the table, and refer to same Committee the bill abridging the duties of Grand Juries in the county of Bladen; which motion also prevailed.

Mr. Saunders, of Wake, introduced "a bill to amend an act, entitled an act, to incorporate the Raleigh and Gaston Railroad," which was read the first time, and, on motion of Mr. Saunders, was referred to the Committee on Internal Improvements, and ordered to be printed.

A message was received from the Senate, informing the House that Messrs. Bunting, Washington and Parks, form its branch of the Committee on the Library.

Also, that Messrs. Bower, Thompson, Caldwell, Steele, Watson, Gilmer, Withers and Thomas form their branch of the Committee on Finance.

Mr. Dortch, of Wayne, that the presentment of the Grand Jury of Wayne, be taken from the table and referred to the Committee on the Judiciary, which motion was carried.

Mr. Lander, of Lincoln, introduced the following resolutions, which were read the first time, and, on his motion, referred to the Committee on Propositions and Grievances.

Resolved, That James W. Love, Sheriff of Lincoln county, be and he hereby is authorized to collect all arrearage of taxes due him, in said county of Lincoln, respectively, for the years 1848, 1849, 50, -51.

Resolved, That the resolution take effect from and after its ratification.

Mr. Hill, from the Committee to wait on the Governor reported that his Excellency would send a communication to the General Assembly on Thursday.

The hour having arrived, the House proceeded to vote for Engrossing Clerk, with the following result :

FOR MR. HARRIS.

Messrs. Speaker, Adams, Albertson, Alford, Amis, Barco, Brooks, T. Bynum, J. A. Caldwell, D. F. Caldwell, Calloway, Cherry, Carmichael, Collins, Cook, Cotton, Daniel, Dargen, Erwin, Eure, Fagg, Furr, Gaither, Godwin, Gwynn, Harris, W. H. Harris, Holeman, Johnson, Jones, Leach, W. J. Long, Lowry, Matthews, Miller, McDugald, Mintyre, Perkins, Phillips, Puryear, Rives, Sanders, Shimpock, Simons, Smith, Spruill, Stubbs, Teague, Thornburg, Trexler, Tripp, W. Turner, J. Turner, Watters, Webb, Whitehurst, B. F. Williams, Wiley and Wynne, Mills, Perry, Siles, Walton—63.

FOR MR. HOUSTON.

Messrs. Allan, Chestnutt, Corbett, Dobson, Ellis, Fonville, George, Herring, W. E. Hill, Jarvis, Lyon, Pogram, D. Reid, Russell, Sauls, Strange, Sutton, Ward, and Wood,—19.

FOR MR. JENKINS.

Messrs. Avery, Barrett, Black, Blow, Bryant, Burton, J. B. Bynum, Byrd, Christmas, Dobbin, Dortch, Dunn, Durham, Foreman, Hawkins, S. P. Hill, Ingram, Lander, Lockhart, W. Long, Love, Martin, Marshall, Mooring, Munday, McNeill, Norfleet, Phelps, A. Reid, R. M. Saunders, Seales, Sherrill, Tolson, Waugh, Wheeler, S. A. Williams, and Wilder—37

Mr. Lander, of Lincoln, introduced an act, to incorporate the town of Lincolnton, in the county of Lincoln, which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. Wynne, from the Committee appointed on behalf of the House to superintend the election of Engrossing Clerk reported, that there were 168 votes cast; that 85 were necessary for a choice; that Mr. Harris, had received 86 votes; Mr. Houston 31, and Mr. Jenkins 51; that as Mr. Harris had received a majority of all the votes, he was elected.

Which report was concurred in.

On motion of Mr. Cherry, of Bertie;

Resolved, that the Comptroller of the public accounts be requested to communicate to this House, the amount of taxes paid by each county, into the Treasury of the State, for the last five years, next preceding the year 1852, including the years 1847, '48, '49, '50, '51, and also, the aggregate amount of said Taxes for the same period of time.

Mr. Webb, of Rutherford, introduced a bill to pay tale, jurors, in the county of Rutherford, the same compensation as is now paid to jurors of the regular panel.

Read the first time and passed, and referred to the Committee on Private Bills.

Mr. George, of Columbus, introduced a bill to incorporate Columbus Academy, near the town of Whiteville.

Read first time, passed and referred to the Committee on Private Bills.

The following resolution was introduced by Mr. Wheeler, of Lincoln :

Resolved, That a message be sent to the Senate, proposing to raise a Joint Select Committee, to be called a Committee on Apportionment, to consist of nine members from each House, to whom shall be referred the subject of the Electoral Districts; the Senatorial Districts; the Apportionment of the House of Commons, according to the ratio of representation; and the dividing the State into eight Congressional Districts, the number of representatives apportioned to the State of North Carolina, made the last seventh enumeration of the inhabitants of the United States.

Mr. Williams, of Warren, moved to lay the resolution on the table; which motion was lost.

The resolution was then adopted.

On motion of Mr. Webb, the House adjourned till to-morrow, at 10 o'clock.

WEDNESDAY, Oct. 13th, 1852.

Mr. Dobbin, of Cumberland, introduced a bill to incorporate the Fayetteville and Raleigh Plank Road company; which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Cherry, of Bertie, introduced the following preamble and resolution, which were read, and, on motion, laid upon the table:

WHEREAS, a resolution was passed by this House, informing his Excellency, the Governor, that it has agreed to go on and transact the public business, by constituting this the regular session of the general Assembly :

And whereas, the Governor has responded that he will, on Thursday next, at noon, communicate his regular or biennial message to this House :

And whereas, this House has adopted a resolution, which has been referred to the Committee on the Judiciary, which resolution suggests doubts as to the constitutionality of this session of the General Assembly :

Therefore,

Resolved, That a committee of two members be appointed to wait on his Excellency, the Governor, and request him to withhold the message till the report of the Committee on the Judiciary on said resolutions shall be made to this House, and disposed of.

“A bill to pay tales jurors” was introduced by Mr. Williams, of Warren, read first time, passed and referred to the Committee on the Judiciary.

Mr. Carmichael, of Wilkes, introduced “a bill to repeal, in part, an act passed at the session of the General Assembly, in 1848-’49, entitled an act to secure the title of purchasers of lands sold under execution, and ratified on the 29th of January, A. D. 1849; which was read first time, passed and referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Strange, of New Hanover, introduced “a bill to amend an act of the Revised Statutes, chapter 59th, entitled an act for establishing public landings and places of inspection, and for the appointment of inspectors and regulation of inspectors;” which was read the first time, passed, and referred to the Committee on Private bills.

Mr. Leach, of Davidson, introduced “a bill to ascertain the will of the freemen of North Carolina, as to the call of a Committee on the Federal Basis;” which was read the first time, passed, and, on motion, laid on the table, and ordered to be printed.

Mr. Webb, of Rutherford, introduced “a bill to appoint tax collectors for the State of North Carolina;” which was read the first time, passed and ordered to be laid on the table, and be printed.

Mr. Caldwell, of Lincoln, introduced “a bill to alter the line between the counties of Lincoln and Gaston;” which

was read the first time, passed, and, with the memorial accompanying it, referred to the Committee on Propositions and Grievances.

Mr. Brooks, of Pasquotank, introduced "a bill to repeal an act, entitled an act for the better organization of the Court of Pleas and Quarter Sessions, for the county of Pasquotank, passed at the last session of the General Assembly, chapter 55th.

Mr. Lander of Lincoln, introduced "a bill explanatory of the meaning of the 2nd section of an act in the Revised Statutes, chapter 39th, entitled divorce and alimony;" which was read the first time, passed and referred to the Committee on the Judiciary and ordered to be printed.

Mr. Lander, of Lincoln, introduced "a bill to qualify and explain the duty of grand jurors;" which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Dobbin, of Cumberland, introduced "a bill to amend an act, entitled an act to incorporate the Cape Fear and Deep River Steamboat Company;" which was read the first time, passed, and the rule being suspended, passed its second and third readings, and was ordered to be engrossed.

Mr. Lander, of Lincoln, introduced the following resolution, which was read and referred to the Committee on Finance:

Resolved, That the only true basis of taxation of any free people, in a free government, is the cash valuation of the goods and chattels, lands and tenements, of which the people may be seized, and possessed, *minus* their indebtedness; and

Resolved further, That it is the duty of the General Assembly of North Carolina, to pass such a revenue bill as shall most effectually arrive at, carry out and establish the principle contained in the foregoing resolution.

Mr. Strange, of New Hanover, introduced "a bill to incorporate the True Brothers Society, in the town of Wilmington ;" which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. George, of Columbus, introduced "a bill to pay tales jurors, in the county of Columbus, the same compensation as is now paid to jurors of the regular panel ;" which was read the first time and passed, and referred to the Committee on Private Bills.

Leave of absence was granted to Mr. Wynne, of Hyde, for ten days, from and after to-morrow.

On motion of Mr. Caldwell, of Lincoln, the House adjourned till to-morrow 11 o'clock.

THURSDAY, Oct 14, 1852.

The Speaker announced the following as the regular order of business :

1. Petitions and Memorials.
2. Bills and Resolutions.
3. Reports of Standing Committees, as follows :
 1. Privileges and Elections.
 2. Finance.

3. Judiciary.
4. Claims.
5. Propositions and Grievances.
6. Internal Improvements.
7. Private Bills.
8. Agriculture.
9. Education.
10. Library.

4. Reports from Select Committees.

5. Bills on third reading.

6. Bills on second reading.

The orders of the day to be taken up at 12 o'clock ; and, if none, the unfinished business.

Mr. Dobbin, of Cumberland, presented a memorial for "the President and Directors of the Fayetteville and Northern Plank Road Company ;" which was referred to the Committee on Internal Improvements.

Mr. Saunders, of Wake, Chairman of the Committee on the Judiciary, submitted a report and the following resolution ; which was concurred in :

Resolved, That the resolution referred to the Committee in regard to the expediency of adjournment of the Legislature at an early day be laid on the table, and that the House proceed with the regular discharge of its business.

A message was received from the Senate, disagreeing to the proposition to raise a joint Select Committee on Apportionment.

A message was received from the Senate, proposing to raise a Joint Select Committee of one on the part of each House, from each Judicial District, to whom shall be referred the arrangement of the Senatorial Districts, and the apportionment of the House of Commons ; which report was read and concurred in.

Mr. Wynne, of Hyde, introduced "a bill to extend the jurisdiction of Justices of the Peace in certain cases," which was read the first time, passed, and referred to the Committee on the judiciary, and ordered to be printed.

A message was received from the Senate, proposing to raise a Joint Select Committee of nine from each House, to whom shall be referred the subject of dividing the State into eight Congressional Districts.

A message was received from the Senate, proposing a Joint Select Committee of two, on the part of each House, whose duty it shall be to prepare or cause to be prepared a skeleton map of the State, dividing the same into counties, with the federal proposition of each, agreeably to the last census; and the average amount of taxes paid by each county, reported by the Comptroller, laid down thereon; which was read and concurred in.

Mr. Carmichael, of Wilkes, introduced "a bill to incorporate the trustees of Buena Vista Academy, in the county of Iredell," which was read the 1st time, passed, and referred to the Committee on Private bills.

Mr. Caldwell, of Guilford, introduced the following resolution, which was read and adopted :

Resolved, That the Speaker be authorised to appoint a Select Committee of five persons, to be known and styled "the committee on incorporations."

Mr. Reid, of Duplin, introduced "a bill to extend the rights of appeal in certain cases," which was read the first time, passed, and referred to the Committee of the Judiciary.

Mr. Dortch of Wayne, introduced "a bill to confirm a grant to B. H. Stanmire," which was read the 1st time, passed, and referred to the Committee on the Judiciary.

Mr. Hill, of Caswell, introduced "a bill to amend the charter of the Milton Savings' Institution," which was read the 1st time, passed, and referred to the committee on the Judiciary.

Mr. Dortch, of Wayne, introduced "a bill to amend the 7th section of the 17th chapter of the Revised Statutes, entitled an act, concerning cattle, horses and hogs," which was read the 1st time, passed, and referred to the committee on the Judiciary.

On motion of Mr. Wheeler, of Lincoln,

Resolved, That the Committee of Finance be instructed to inquire into the expediency of enacting some law, whereby the expense of collecting the public revenue, by the present mode may be facilitated and economized.

Mr. Erwin, of Burke and McDowell, introduced "a bill to authorize Mills Higgins, Sheriff of McDowell, to collect arrears of taxes due him," which was read the 1st time, passed, and referred to the Committee on Claims.

Mr. Perkins, of Halifax, introduced "a bill to pay tales jurors in the county of Halifax," which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. Turner, of Iredell, introduced "a bill for dividing the County of Iredell," which was read the first time, passed, and referred to the Committee on Propositions and Grievances.

The biennial Message of his Excellency, the Governor, was received through the hands of his Private Secretary, read, and transmitted to the Senate, with a proposition to print ten copies for each member :

GOVERNOR REID'S MESSAGE.

*To the Honorable the General Assembly
of the State of North Carolina :*

Favored by a bountiful Providence with Peace and Plenty, the present would seem a most auspicious period for directing our thoughts and energies to such objects of legislation as are calculated to advance the great interests of the State, and to perpetuate the blessings of liberty.

Government was instituted for the security of the rights of persons and of property, and for the promotion of the substantial prosperity and happiness of the people. These objects, controlled by constitutional limitations, constitute the great political chart to guide Legislative and Executive action.

Among the subjects which claim the consideration of the General Assembly, is the question of Constitutional Reform. At the session of 1850-'51, the General Assembly passed, by a constitutional majority, a bill to amend the Constitution, so as to extend to every freeman, who now has the right to vote for the Commons, the right to vote also for the Senate. The Executive Proclamation on this subject, was published agreeably to the requirements of the Legislature. I earnestly recommend that said amendment be passed by the constitutional majority of the present General Assembly, and submitted to the voters of the State for ratification.

The Constitution, as it now stands, prohibits every man who does not own fifty acres of land from voting in the

Senate. This provision, it is believed, disfranchises in the Senate about one-half of the free white men of the State, and embraces in its proscription a large class, who in point of merit, intelligence and patriotism, are not inferior to any portion of our population. The proposition is not to take from the land holders their just rights, but to elevate another meritorious class of our people to equal privileges at the ballot box. It is a marked feature in the progress of this reform, that a great portion of the freeholders, with a commendable disinterestedness, regarded this as a question of principle, and of right, and among them were found its earliest advocates and most zealous supporters.

A large majority of the people, in every portion of the State, are in favor of Equal Suffrage, and prefer the Legislative mode of effecting it. The greater part of the expense necessary to attain equal Suffrage has already been incurred; and now to abandon the legislative mode, and to rely upon the Convention mode, would not only cause delay, but an increase of expenditure. The Convention mode is impracticable. The constitutional majority cannot be obtained in favor of a Convention; and, if the fate of this question is made to depend upon calling a Convention, its defeat may be regarded as certain. The Legislative mode is not only expressly provided for in our State Constitution, but is also recognised in the Constitution of the United States, as one of the modes of ratifying amendments, by the States, to the Federal Constitution.

This mode affords time for examination and reflection in relation to the amendment proposed, and finally, when it shall have passed two successive Legislatures, it cannot be adopted without the sanction of a majority of the voters of the State at the ballot box. "A free, open and unrestricted Convention" could have no such *restriction* upon its power. Hence, a well founded apprehension exists in the minds of many ardent friends of constitutional reform, against the

Convention mode of effecting it. A Convention is impracticable and inexpedient, and I regard the Legislative as the safe and only practicable mode, at this time, of amending the constitution.

A change of the Basis of Representation would be fraught with mischief. Even the agitation of the subject is calculated to destroy that harmony among the various portions of the State, which is so essential to prosperity and happiness. Let us unite in directing our attention to objects that may produce more beneficial results.

It is a circumstance gratifying, and at the same highly complimentary to the State, that however much the people may desire constitutional reform, they promptly reject any other than a constitutional mode to attain it.

The election of Judges and Justices of the Peace, by the people, and for terms less than for life, are questions of constitutional reform, which I recommend to the favorable consideration of the General Assembly.

There is no object of more general importance than Common Schools, nor is there any question more worthy of the favorable consideration of the General Assembly and the people of the State.

It is contended by some that the present mode of dividing the School fund, is unjust, and that it ought to be divided according to white instead of federal population. The present basis of distribution has met the approval of many successive Legislatures, and I do not see any good reason to recommend a change in this respect. No mode can be devised that will operate with equal benefit to all the counties.

It is submitted, whether the appointment of a general Superintendant may not tend to improve Common schools,

and to advance the cause of education. Such an officer could no doubt do much to produce uniformity in the system, and to diffuse a proper spirit on the subject throughout the State. It is believed that the present system has greatly diminished the number of private schools. In many instances, it would seem that a reliance upon the common school prevents the district from providing a private school; and it is often found that a district has a very imperfect school, and that only for a very short period during the year. The schools should, if possible, be of such a character as to make it the interest of all classes to patronize them; for they are intended alike for the poor and the rich.

The execution of the system is more defective than the system itself. One cause why our schools are not in a more flourishing condition, arises from the fact that public attention has not been sufficiently aroused to the importance of the subject. Sparseness of population, and the want of adequate means to employ suitable teachers, are the principal obstacles that impede the progress of the system. The question arises, whether it is better to endure the system, with its present limited but gradually increasing benefits, or to improve it at once, by a resort to an increase of taxation. I can imagine no object for which an increase of taxation would be mere justifiable and commendable. Contributions for public education have been aptly compared to the vapor drawn from the earth, not to exhaust, but to be returned in fertilizing showers.

Our common school system, however, imperfect as it is, is producing lasting and beneficial effects. It will improve as we advance in experience and increase in population. During the past year, upwards of one hundred and twenty eight thousand dollars were distributed from the Literary Fund, among the several counties of the State, and an equal amount will be distributed during the present year. The principal of the fund is gradually but slowly increasing, and is becoming more productive. As yet, there has

been nothing actually received from escheats; but it is believed that the act passed upon this subject, at the last session, will, in the course of time, greatly increase the Literary Fund.

The President and Directors of the Literary Fund, will, in due time, submit a report, showing the condition of the fund and the proceedings of the Board in relation to other subjects committed to their management.

A judicious system of Internal Improvements by the State, has ever been regarded of a subject of great importance, and entitled to the favorable consideration of the General Assembly. The want of cheap transportation is deeply felt by the agricultural, commercial, manufacturing and mining interests of the whole State. To overcome this inconvenience could not fail to increase the reward of every industrial pursuit, and add to the wealth and prosperity of the people of the State. Believing that the members of the General Assembly, coming from the various counties, will be fully prepared to give due consideration to the claims of every portion of the State, I do not feel called upon to decide between the peculiar merits of the many public improvements which demand the patronage of the State. Works of internal improvement necessarily involve a large expenditure, and should be undertaken with a due regard to their practicability, and to the adequacy of the resources and means necessary to complete them. The General Assembly, which authorizes a work of internal improvement, ought, as a general rule, to provide for raising the means necessary for its completion. Whether public opinion and the condition of the treasury will justify the State at this time in embarking in other and new objects of improvement, and if so, to what extent, is a question which is submitted to the prudence and wisdom of the General Assembly. A wise and prudent system all should approve: a wild and extravagant scheme all should deprecate.

The requisite amount having been subscribed, according to the terms of the Act passed at the last session of the General Assembly, to incorporate the Raleigh and Gaston Railroad Company, in the month of October last, the Commissioners on the part of the State delivered over the Road and fixtures to the new Company. Since that time, the Road has ceased to be under the control and management of the State. Since the transfer to the new Company, the road has been undergoing an entirely new superstructure, which is nearly complete.

This improvement has already enhanced facilities to the State. The stock has been subscribed to form the connecting link between this Road and the Wilmington and Raleigh and Seaboard and Roanoke Railroads, and this important work is in course of construction.

At the last session a Resolution was passed, authorizing the President and Commissioners of the Raleigh and Gaston Railroad to anticipate the receipts of the road by the purchase of two hundred and fifty tons of iron, for the purpose of repairing the road, and authorising them to pledge the receipts of the road for the iron thus purchased. It was provided that the State should, in no manner, or in any event, be held liable for the purchase money; and, when the new charter should be accepted, the iron should be sold for the benefit of the State. In pursuance of this resolution, the President of the road purchased two hundred and fifty tons of iron from Mr. Anderson, of Richmond, and it was applied to repairing the Road. A part of the iron has been taken up by the new Company, and a part of it, I presume, still remains on the road. The new Company has made no proposition to purchase the iron. Unless the Legislature shall otherwise direct, the iron will be sold for the benefit of the State.

It is believed that, after the settlement of the accounts and the payment of liabilities for the expenses of the Road, there will be little, if any thing, applicable to the payment of the debt contracted for this iron. If the Legis-

lature requires the proceeds of the sale of the iron to be placed in the treasury, it would prevent Mr. Anderson from receiving any portion of his debt. Should the proceeds be applied to this debt they would not pay one half of it.— I recommend that the General Assembly authorize the proceeds of the sale of the iron to be applied towards the payment of the debt contracted for its purchase; and it is submitted, whether an appropriation shall be made to pay the balance.

The Report of the President in relation to the affairs of the Road, while under the control of the State, will in due time be communicated to the General Assembly. In enrolling the Bill passed at the last Session to incorporate the Raleigh and Gaston Rail Road Company, it is believed that some of the sections as it passed were omitted, which renders farther legislation on the subject necessary. One of the omitted sections authorized the appointment of four directors on the part of the individual stockholders and only three on the part of the State. The Board of Internal Improvements only appointed the number provided for in the omitted section. But the State owns one half of the stock, and it is believed she ought to have the appointment of one half of the Directors, and it is recommended that such provision be made by law.

An Engineer was employed to survey Neuse River, and the balance of the appropriation made under the Act of 1850-'51, after paying the expenses of the survey, has been subscribed to the Neuse River Navigation Company, as directed by said Act, and a part of the appropriation paid to the Treasurer of the Company. This is a work of importance, and its completion promises highly beneficial results. The Report of the Engineer appointed to make the survey is herewith transmitted.

Three Commissioners were appointed under the act of 1848-'9 to superintend the improvement of Tar River.—

This is a desirable improvement, but it is doubted whether the appropriation is sufficient to accomplish the object for which it was intended.

The whole amount of subscription of the State, to the Cape Fear and Deep River Navigation Company, has been paid. The work is progressing, and promises to open new and valuable commercial advantages not hitherto enjoyed by the State.

Under a Resolution passed at the last session of the General Assembly, the Public Treasurer transferred two thousand shares of the stock owned by the State, in the Wilmington and Raleigh Railroad Company, to the Wilmington and Manchester Railroad Company, whereby the State became a stockholder in the important improvement under the charge of that company. In directing the transfer of the stock, the resolution did not make any change in regard to the number of directors to which the State should be entitled in the Wilmington and Raleigh Railroad Company. Under the circumstances, the Board of Internal Improvements did not feel authorized to make any change in the number of directors appointed on the part of the State. The stock transferred is represented by the State in the Wilmington and Manchester Railroad Company.—If the Legislature intended that the number of directors on the part of the State, should only be in proportion to her stock, farther legislation on the subject would appear to be necessary.

The Wilmington and Raleigh Railroad, with energetic management, has of late overcome, to a considerable extent, the early embarrassments this important work had to encounter. The Company has commenced paying dividends, thus enabling the Literary Board to distribute an increased amount for the support of Common Schools.

The North Carolina Railroad, it is believed, is progressing as rapidly as could be expected, considering the circumstances attending its commencement and prosecution. This improvement promises to afford new and increased means of transportation to a considerable portion of the State, heretofore deprived of such facilities. The President of the Company will, in due time, submit a report in relation to the progress and condition of the work.

It is probable that application will be made during the present year, or early in the next, for the first instalment of the State's subscription to the stock of this road. To raise the sum, State bonds are authorized to be issued and sold. It is believed that this loan, as well as all others required by the State, can be procured upon better terms by authorizing the Public Treasurer to issue Coupon Bonds.

An act was passed at the last session of the General Assembly, appropriating twelve thousand dollars, "out of the first moneys collected after the first day of January 1852, from the Cherokee bonds, and from the sale of Cherokee lands," for the survey of a Railroad route from Salisbury to the Tennessee line. The Agent states, that only a small sum applicable to this appropriation has been collected. It was not therefore in the power of the Board of Internal Improvements, to procure the execution of the survey. It is to be regretted, that this could not be done before the commencement of the present session of the Legislature, as the contemplated line runs through a portion of the State, where the people are deprived of the means of convenient transportation, and are therefore deeply interested in the subject. It is uncertain, under the present Act, when a sufficient sum will be collected to defray the expense of the survey. Should the Legislature desire it to be made at an early period, an appropriation for that purpose will be the means by which it can surely be accomplished.

The Fayetteville and Western Plank Road is in course of extension. The whole amount of the State's subscription to this work has been paid. The stock has already been paying dividends into the State Treasury. This not only bids fair to be a valuable improvement, but the stock, it is believed, will be a good investment for the State. The Report of the President and Directors of the Company is herewith transmitted.

An agent was appointed to superintend the construction of the Western Turnpike road. A considerable portion of the Road has already been made, and other parts of it are under contract. The Agent, it is believed, has faithfully performed his duty in superintending the work. Toll gatherers have already been appointed on the portion of the road completed, but a report of the amount of tolls collected has not yet been received.

It is respectfully submitted, whether legislative action is not necessary on the subject of public highways. This is a subject of general importance to the State, and has been too much neglected. Good roads will be found to advance the interests of all the industrial pursuits of the State. The mode of assessing the labor to build and repair public highways is unequal and unjust. The work done on the public roads is a tax paid in labor. It often occurs, that a person of quite limited estate contributes, in the course of the year, a considerable amount of labor to roads, while his nearest neighbor, who has a large estate, contributes but little or nothing at all for that purpose.

It becomes the duty of the present General Assembly to lay off the State into Electoral, Congressional, and Senatorial Districts, and apportion the members of the House of Commons among the several counties of the State.

It is respectfully submitted, whether public convenience and the ends of public justice do not require the formation of one or two additional Judicial Circuits, and the election of a corresponding number of Judges.

The fiscal year closes on the 31st day of October, when the Public Treasurer will submit his report, giving a detailed account of the operations and condition of the Treasury :

The State debt is as follows :

State bonds already issued,	\$1,221,000
Loans authorized by law for various works of Internal Improvement for which it is expected bonds will be issued during the next two years,	\$2,140,000
Total,	<hr/> \$3,364,000

The Report of the Comptroller, for the fiscal year ending the 21st of October, 1851, is herewith communicated.

It will be seen that the taxes paid into the Treasury during the year 1851, amounted to the sum of \$157,137 71. The Revenue Act, passed at the last session, will, it is believed, increase the revenue paid into the Treasury this year, about \$20 000. Neither the demands on the Treasury, nor public convenience, would seem to require any increase of taxation during the next two years. No more money should be collected from the people than is necessary to defray the expenses of a good and economical government. Taxation is indispensable, but it is one of the first duties of the Statesman to endeavor to equalize the burdens as well as the benefits of Government.

For many years the demands upon the Treasury were limited, that but little attention was paid to the subject of taxation. Of late years, Internal Improvements and other

public objects have increased the expenditures, and our financial system has assumed a more important aspect. It will be perceived, that of the \$157,137 71 tax, paid into the Treasury in 1851, \$37,059 32 was collected on land and town property ; \$36,133 07 on polls ; \$25,007 S7 on interest tax, and \$12,822 61 on store tax—amounting in the aggregate to the sum of \$111,022 S7, paid into the Treasury on these principal items of taxation, and \$46,014 S4, paid in on others. The land and poll tax amounted to \$73,192 39. The tax for county purposes is collected entirely on land and polls ; and the amount paid into the Public Treasury on these two items is small, when compared with the tax paid for county purposes. We have no returns to show the amount of county tax collected in the State. It is believed, however, that not more than twenty per cent, of the whole amount collected on land and polls goes into the Public Treasury, and I have based the estimate of the average amount paid on land accordingly. An examination into the existing revenue laws will show that the present system operates very unequally. At present, \$1000 loaned at interest, pays 180 cents, while \$1000, hoarded against the public convenience and public policy, pays nothing at all ; \$1000 invested in land, pays 300 cents, while \$1000 invested in trade, pays 100 cents. Other unjust discriminations might be shown.

As a general rule, it is believed that the tax upon the estate of each person should be in proportion to its value, subject to such exceptions only as circumstances and fundamental principles may justify. Inasmuch as property on the one hand ought not to be made the test of public privilege, neither on the other ought the absence of property to exempt the person from bearing an equitable share of the public burden. Therefore it is thought just and proper to impose capitation tax. Slaves are regarded to some extent as both persons and property. The following wise provision in our State Constitution, which ought not to be departed from, defines the power of legislation upon this subject :

"SECTION III.

1. Capitation tax shall be equal throughout the State upon all individuals subject to the same.

2. All free males over the age of twenty-one years, and under the age of forty-five years, and all slaves over the age of twelve years, and under the age of fifty years, shall be subject to capitation tax, and no other person shall be subject to such tax; provided that nothing herein contained shall prevent exemption of taxable polls as heretofore prescribed by law in cases of bodily infirmity."

It will be seen that slave property must form an exception in framing a system of *ad valorem* taxation. White males alone are subject to a poll-tax, while a poll-tax is imposed on both male and female slaves, and the period of taxation commences nine years earlier and continues five years longer. Thus it will appear that by taxing both sexes the amount of revenue collected from the tax on slaves is double the amount collected on white-polls, in proportion to the population of the two races; and the difference in the duration of the period for which they are taxed is equivalent to one hundred per cent more. It is therefore obvious, that in proportion to the whole number of each, the poll-tax paid on the slaves is three times as much as the poll-tax on the white population. So it will be seen that this provision in the Constitution has imposed a tax on slaves in the two-fold character of persons and property, and that an *ad valorem* tax cannot be imposed on that species of estate.

Persons and property being the principal object of taxation, they should bear a fair and just relation to each other, in a system of revenue. It is believed, that, after excepting slaves, each person's estate, real and personal, including money, whether at interest or not, ought to be taxed alike, according to value. This would require every person to

contribute in proportion to the value of his or her estate, and would equalize the public burden between the various classes, upon principles of justice. I know of no better rule to ascertain the ability of the owner to pay, or the degree of protection his estate requires from government, than by resorting to the actual value of such estate.

This system need not interfere with taxing certain employments, and the income on professions, as is now done. Such persons as do not possess personal estate of the value of one hundred and fifty dollars, out to be exempt from property tax, and an exemption of a like amount might be made in favor of all others. A system of revenue, based upon these principles, is recommended to the favorable consideration of the General Assembly.

On the 8th of May, 1851, Asa Biggs, B. F. Moore and R. M. Saunders, Esquires, were appointed commissioners, under the act of the last session of the General Assembly, to revise the public statute laws of the State. On the 2d day of August, 1852, R. M. Saunders sent in his resignation, which, in consequence of my necessary absence, did not reach me till the 24th of the month. His letter of resignation is herewith communicated. I have received no official report from the commissioners; but in the latter part of the month of August last, it came to my knowledge that the commissioners, prior to the date of this resignation, had decided not to report the revisal to the present Legislature. Under all the circumstances, it was deemed advisable not to fill the vacancy until the subject was submitted to the General Assembly. It is due to state that the commissioners were appointed with the hope and expectation that they would be able to complete their labor by the usual time of the meeting of the Legislature. They will, no doubt, in due time, report directly to the General Assembly, when such action can be taken as may seem expedient.

Professor Emmons was appointed under the act passed at the last session to make a geological and agricultural sur-

vey of the State. The work is progressing, and it is believed, will in the end be productive of highly beneficial results to the agricultural and mining interests of the State. Agriculture has been too long neglected, but it is hoped it may receive a new impulse, that will lead to the increased reward of the husbandman. It is believed that an additional appropriation, to supply a boring apparatus, and to justify the collection of specimens, to be deposited at some suitable place or places, would promote the objects of the survey.

A report in relation to the progress of the survey is expected in due time, and, when received, will be laid before the General Assembly.

Commissioners were appointed to value the Cherokee lands, under the act passed at the last session for that purpose. It is believed that they have completed their duties, but their official report has not yet been received.

I herewith communicate the report for 1851, of the agent of the State for the collection of Cherokee bonds, and the sale of Cherokee lands.

The report of the Cape Fear Navigation company is herewith transmitted. Also, the report of the Wilmington and Manchester Railroad company.

Resolutions of the General Assembly of New Hampshire, in relation to an Agricultural Bureau, and resolutions of the General Assembly of Florida, on the same subject, are communicated.

I also transmit Resolutions passed by the Legislature of Connecticut, in favor of the Compromise measures, passed by Congress.

My Letter Book is ready for your inspection, and will, on request, be laid before you by my private secretary.

It will afford me great pleasure to co-operate with the General Assembly in all such measures as are calculated to promote the honor and welfare of the State.

DAVID S. REID.

EXECUTIVE DEPARTMENT; }
Raleigh, Oct. 14, 1852. }

Mr. Williams, of Warren, introduced "a bill to amend the first section of the 64th chapter of the Revised Statutes;" which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Webb, of Rutherford, introduced the following resolution, which was read and adopted:

Resolved, That William King, keeper of the Capitol, be authorized to employ a workman to furnish a new flag staff for the Capitol of the State, if necessary.

Mr. Leach, of Davidson, introduced the following resolution, which was read, and on motion laid on the table;

Resolved, That so much of the Governor's Message as relates to Free Suffrage, and the amendment of the Constitution of the State, be referred to a Select Committee of seven.

Mr. Willey, of Guilford, introduced "a bill to incorporate the Guilford County Mining company; which was read the first time, passed and laid on the table.

A message was received from the Senate, proposing that the two Houses of the General Assembly adjourn *sine die* on the first Monday in December next.

A motion was made to lay the proposition on the table, on which Mr. Spruill, of Bertie, demanded the yeas and nays, which were ordered.

Those who voted in the affirmative, are :

Messrs. Allen, Avery, Bryant, Dobbin, Dortch, Ellis, Foreman, Hawkins, S. P. Hill, W. E. Hill, Lander, Marshall, Mooring, Norfleet, Phillips, D. Reid, A. Reid, Rives, R. M. Saunders, Sauls, Scales, Sherrill, Strange, Wheeler, S. A. Williams and Wilder—26.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Alford, Amis, Black, Blow, Brooks, T. Bynum, J. B. Bynum, Byrd, J. A. Caldwell, D. F. Caldwell, Calloway, Carmichael, Cherry, Chesnut, Collins, Cook, Corbett, Daniel, Dargan, Dobson, Dunn, Erwin, Eure, Fagg, Fonville, Furr, Gaither, George, Godwin, Gwynn, W. H. Harris, W. S. Harris, Herring, Holuman, Ingram, Jarvis, Johnson, Jones, Leach, Lockhart, Long, W. J. Long, Lowry, Love, W. H. Lyon, Matthews, Miller, Mills, Munday, McDugald, McIntyre, McNeill, Pegram, Perry, Purkins, Phelps, Puryear, Russell, W. H. Sanders, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Sutton, Teague, Thornburg, Tolson, Trexler, Tripp, W. Turner, J. Turner, Watters, Walton, Ward, Waugh, Webb, Whitehurst, B. F. Williams, Wiley, C. B. Wood and Wynne—86.

Mr. Dobbin, of Cumberland, moved to postpone the consideration of the message till the 2nd Monday in November.

On this motion Mr. Spruill, of Bertie, demanded the yeas and nays, which were ordered.

Those who voted in the affirmative, are :

Messrs. Albertson, Alford, Allen, Avery, Barrett, Black, Bryant, T. Bynum, J. B. Bynum, Caldwell, D. F. Caldwell, Chesnut, Christmas, Collins, Corbett, Dobbin, Dobson, Ellis, Fonville, Foreman, George, Godwin, Hawkins, Herring, W. E. Hill, S. P. Hill, Ingram, Jarvis, Johnson, Lander, W. Long, Lowry, Love, Lyon, Marshall, Mills, Mooring, Munday, Phillips, D. Reid, A. Reid, Rives, Russell, W. H. Sanders, R. M. Saunders, Sauls, Scales, Sherrill, Simons, Strange, Walton, Ward, Waugh, Wheeler, S. A. Williams, Wilder, and Wood—57.

Those who voted in the negative, are :

Messrs. Adams, Amis, Blow, Brooks, Byrd, Calloway, Carmichael, Cherry, Cook, Daniel, Dargan, Dortch, Dunn, Erwin, Eure, Fagg,

Furr, Gaither, Gwinn, W. S. Harris, Holeman, Jones, Leach, Lockhart, W. J. Long, Matthews, Miller, McDugald, McIntyre, McNeill, Norfleet, Perry, Perkins, Phelps, Puryear, Shrapock, Smith, Spruill, Styles, Stubbs, Sutton, Teague, Thornburg, Tolson, Tripp, W. Turner, J. Turner, Watters, Webb, Whitehurst, B. F. Williams, Wiley and Wynne.—53.

On motion of Mr. Chesnutt, of Sampson, the House adjourned till to-morrow, at 10 o'clock.

FRIDAY, OCT. 15, 1852.

A message was received from the Senate, agreeing to the proposition to print ten copies of the Governor's Message, for the use of each member of the two Houses.

On motion of Mr. Hill, of Caswell,

Resolved, That so much of the Message of his Excellency the Governor, as relates to the subject of Free Suffrage, and a convention for the amendment of the Constitution, be referred to a Select Committee of seven members.

2. *Resolved*, That so much of said Message, as relates to the subject of Common Schools, be referred to the Committee on Education.

3d. That so much thereof as relates to the North Carolina Railroad, the Raleigh and Gaston Railroad, the Fayetteville and other Plank Roads, the Neuse and Deep River and other river improvements, and to the public highways and roads, be referred to the Committee on Internal Improvements.

4th. That so much of said message as relates to the establishment of one or more Judicial Circuits, and to the Revised Statutes, be referred to the Committee on the Judiciary.

5th. That so much of said message as relates to the Congressional and Senatorial Districts, and to the apportionment of Representation, be referred to the Joint Select Committee, already ordered, on these subjects.

6th. That so much of said message as relates to the subject of revenue, be referred to the Committee on Finance.

7th. That so much of the said message as relates to the subject of agriculture and Geological survey of the State, be referred to the Committee on Agriculture.

A memorial was presented by Mr. Harris, of Cabarrus, signed by 817 citizens of Iredell, and 120 of Salisbury, which was, on motion, referred to the Committee on Propositions and Grievances.

On motion of Mr. Dargan, of Anson, leave of absence was granted to Mr. Christmas, of Warren, for eight days.

On motion of Mr. Scales, of Rockingham, leave of absence was granted to Mr. Williams, of Warren, till Monday next.

On motion of Mr. Webb, of Rutherford,

Resolved, That a message be sent to the Senate, proposing to create a Joint Select Committee, consisting of six on the part of the House, and three on the part of the Senate, whose duty it shall be to inquire into the expediency of either amending or revising the militia law of this State, or abolishing the same altogether, and that they report by bill, or otherwise.

On motion of Mr. Chesnutt, of Sampson.

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of enacting a law authorizing the County Courts to make compensation to Justices of the Peace, who perform the duty of taking and returning the list of taxables, the labors of said office having been much increased under the late revenue laws.

On motion of Mr. Phillips, of Orange,

Resolved, That the Committee on Finance be instructed to enquire, whether it be not expedient to amend section 10 of the Revised Statutes, Chapter 102, so as to provide that the persons peddling in any county in this State, and not on a navigable stream, goods, wares, or merchandize, not of the growth of the State, &c. may, upon the payment of fifty dollars to the Sheriff of the county, in which he shall take out his license, be permitted to peddle in every county of this State, for the term of one year thereafter.

On motion of Mr. Phillips, of Orange,

Resolved, That the Committee on the Judiciary be instructed to enquire into the propriety of giving to the Courts of Law, jurisdiction over sales of land for the purposes of partition.

Mr. Hill, of Duplin, introduced "a bill to amend the 10th section of the 34th chapter of the Revised Statutes, entitled an act concerning Crimes and Punishment;" which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Carmichael, of Wilkes, introduced "a bill to attach a portion of the county of Wilkes to the county of Alexander;" which was read the first time, passed, and referred to the Committee on Propositions and Grievances.

Mr. Cherry, of Bertie, introduced the following resolution, which was read and adopted :

Resolved, That a message be sent to the Senate, proposing to raise a Joint Select Committee of five on the part of the House, and three on the part of the Senate, to be called a Committee on *Swamp Lands*, with power to send for persons and papers.

Mr. Smith, of Halifax, introduced "a bill concerning the embankment of low grounds;" which was read the first time, passed, and ordered to be printed.

Mr. D. F. Caldwell, of Guilford, introduced "a bill to incorporate the Greensboro' Mutual Life Insurance and Trust Company;" which was read the first time, passed, and ordered to be laid on the table, and printed.

Mr. Albertson, of Perquimans, introduced "a bill to facilitate the trial of civil causes in certain cases;" which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. McDugald, of Bladen, introduced "a bill to amend the first section of chapter 86, Revised Statutes, entitled an act concerning the appointment and duties of a Patrol in each county;" which was read the first time, passed, and referred to the Committee on the Judiciary.

The Speaker announced that Messrs. D. F. Caldwell, Christmas, Perkins, Chesnutt and Matthews compose the Committee on Corporations.

Also, that Messrs. Amis and McNeill compose the Committee on the part of the House, on Skeleton Maps.

Mr. Puryear, of Surry, Chairman of the Committee on Propositions and Grievances, reported back the resolutions in favor of the Sheriff of Lincoln, and recommended its passage.

The resolution was read the second time and passed.

A message was received from the Senate, announcing that Messrs. Boyd and Willey form the Senate branch of the Committee on Skeleton Maps.

A message was received from the Senate, transmitting a communication and report from the Comptroller, with a proposition to print one copy of the Report for each member; which proposition was concurred in.

Mr. Wiley moved to take from the table the bill introduced by him yesterday, to incorporate the Guilford Mining Company, and refer the same to the Committee on Corporations; which motion was agreed to.

Mr. Wheeler, of Lincoln, introduced a bill to authorize Henry Ingold, of Catawba county, to erect a gate on the road crossing the Catawba River at Oxford; which was read the first time, passed, and with the memorial accompanying, was referred to the Committee on Private Bills.

Mr. Wheeler, of Lincoln, introduced "a bill to amend an act passed 1850-'51, chapter 133rd, entitled an act to incorporate the Western Plank Road Company;" which was read the first time, passed and referred to the Committee on Internal Improvements.

Mr. Caldwell, of Guilford, introduced "a bill to amend an act, entitled an act for landings and places of inspection &c. &c.;" which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. Webb, of Rutherford, introduced "a bill calling a Convention to amend the Constitution of North Carolina;" which was read the first time, passed, and ordered to lie on the table.

The pension certificate of Alexander Taylor, Sen., was received from the Senate, signed by the Speaker of that body, read and countersigned by the Speaker of the House.

On motion of Mr. Cherry, of Bertie, the House adjourned until to morrow 11 o'clock.

SATURDAY, Oct 16, 1852.

The Speaker announced the following Committees on the part of the House :

Senatorial Districts and Apportioning the House.—Messrs Puryear, Wilder, Albertson, D. Reid, Erwin, McIntyre, Scales.

Congressional Districts—Messrs. Stubbs, Brooks, Wheeler, Fagg, W. Long, Cook, W. E. Hill, Godwin and Marshall.

Mr. Calloway, of Ashe, presented a memorial from sundry citizens of Ashe, relative to the retailing of spirituous liquors in that county, which was referred to the Committee on Propositions and Grievances ; and that they be instructed to report by bill or otherwise.

Mr. Caldwell, of Guilford, presented a memorial from sundry citizens of Iredell, against the division of said county;

which was referred to the Committee on Propositions and Grievances.

Mr. Carmichael, of Wilkes, presented a memorial from sundry citizens of Wilkes and Caldwell, for the establishment of a new county, which was referred to the committee on Propositions and Grievances.

Mr. Mooring, of Martin, introduced "a bill concerning Private Corporations," which was read the first time, passed and referred to the Committee on Corporations, and ordered to be printed.

Mr. Long, of Randolph, introduced "a bill concerning the Superior Courts of Randolph county;" which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Cherry, of Bertie, introduced "a bill to provide for the appointment of a Superintendent of Common Schools, and for other purposes; which was read the first time, passed, referred to the Committee on Education and ordered to be printed.

Mr. Reid, of Duplin, introduced "a bill to repeal a part of the 31st section of the 102d chapter of the Revised Statutes, concerning the Revenue;" which was read the first time, passed and referred to the Committee on Finance.

On motion of Mr. McNeill, of Robeson,

Resolved, That the Secretary of State be requested to furnish this House with the specifications of his contract with Seaton Gales, Esq., for doing the printing of this Legislature.

Mr. Blow, of Pitt, presented the resignation of Samuel Vines, a Justice of the Peace for Pitt county, which was read and accepted.

Mr. Mooring, of Martin, introduced the following preamble and resolution, which were read and adopted :

WHEREAS, the trial by jury, in the several Courts of Pleas and Quarter Sessions, in this State, are conducted in a manner that fails to give satisfaction in its results, to the litigants therein engaged :

And whereas, the same is attended with an unnecessary cost and expenditure, to the counties and to suitors :

Be it therefore,

Resolved, That the Committee on the Judiciary be instructed to enquire into the expediency of abolishing all trials by jury in said Courts, and substitute, instead thereof, one or more additional Superior Courts, and report by bill or otherwise.

On motion of Mr. Scales, of Rockingham,

Resolved, That the Judiciary Committee be instructed to enquire into the expediency of passing an act forbidding the settlement of plantations, or placing together any number of slaves, for any purpose, unless said slaves shall be under the management and control of some white man, who is to live on or near the place, so as conveniently to take charge of them, or exercise control over them.

On motion of Mr. Reid, of Duplin,

Resolved, That the Committee on Finance be instructed to inquire, if any, what alterations are necessary to be made in the revenue laws of this State, and that they report by bill or otherwise.

Mr. Webb, of Rutherford, moved to take from the table the bill introduced by him yesterday, and refer it to the Committee of Finance.

Which motion was adopted.

The resolution for the Sheriff of Lincoln, was read the third time, when Mr. Harris, of Davidson, moved to amend by striking out the years, 1848 and 49 : pending which, Mr. Leach moved to lay the resolution and amendment on the table.

Which motion was adopted.

A message was received from the Senate, concurring in the proposition to raise a Joint Select Committee on swamp lands, and informing the House that Messrs. Joyner, Jones, of Pasquotank, and Hoke form the Senate branch of the Committee.

A message was received from the Senate, concurring in the proposition to raise a Joint Select Committee on revising or abolishing the militia law, and informing the House that Messrs. Person, Bynum and Clark, form the Senate branch of the committee.

A message was received from the Senate, informing the House, that the Senate branch of the Committee on Congressional Districts consists of Messrs. Thompson, Caldwell, Thomas, Mitchell, Berry, Lane, McDowell, Drake and Washington ; also, that Messrs. Boyd, Joyner, Bower, Bunting, Woodfin and Willey form the Senate branch of the Committee, on Congressional Districts.

A message was received from the Senate, proposing to raise a Joint Select Committee of two on the part of each House, to prepare and report a tabular statement of the population of North Carolina, contained in the several counties, agreeably to the last census, and the federal population of each county ; which proposition was concurred in.

A message was received from the Senate, proposing to print such of the documents accompanying the message of his Excellency, the Governor, as have not been heretofore printed, with the exception of the memorial of the Common Council of Philadelphia, the resolutions of New Hampshire, the resolutions of Florida, and the resolutions of Connecticut ; which proposition was concurred in.

Mr. Caldwell, of Guilford, moved to take from the table the bill offered by him yesterday, and refer it to the Committee on Corporations ; which was adopted.

Mr. Lander, of Lincoln, introduced "a bill to sell Poor House lands, in the county of Lincoln ;" which was read the first time, passed, and referred to the Committee on Private Bills.

On motion of Mr. Amis, of Granville, the House adjourned until Monday, 11 o'clock.

MONDAY, Oct. 18, 1852.

The Speaker announced the following Committees.

On Enrolled Bills for the Week.—Messrs. Gaither, Martin, Eure, Whitehurst and Phelps.

On Free Suffrage and Convention.—Messrs. W. S. Harris, Dobson, Daniel, Tripp, Perry, S. A. Williams, and Styles.

A message was received from the Senate, proposing to print a list of the members of the Joint and Standing Committees of both Houses, one copy for each member of the Legislature, and informing the House that Messrs. Cunningham, Cowper and Barrow form the Senate branch of the Committee on Enrolled Bills for the week.

The House concurred in the proposition to print a list of the Committees.

Mr. Tripp, of Beaufort, introduced "a bill to amend an act providing for the keeping a record of marriages in this State, passed at the session of 1850-'51, chapter 84;" which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Miller, of Caldwell, introduced the following resolution, which was, on motion of Mr. Hill, of Caldwell, laid on the table :

Resolved, 'That his Excellency, the Governor, inform this House why he has not supplied the place occasioned by the resignation of Mr Saunders, on the Commission for the Revisal of the Statutes of North Carolina.

Mr. McIntyre, of Richmond, introduced "a bill to ascertain and keep on record, the number of free white males, between the age of and forty-five in this State, and to abolish the militia laws of this State;" which was read the first time, passed, and referred to the Joint Select Committee on the Militia.

Mr. Smith moved to take from the table, the bill introduced by him, relative to embankments of low grounds, and refer it to the Committee on the Judiciary ; which motion was carried.

A communication was received from the Secretary of State, transmitting the bond of Seaton Gales, Esq., given for the Public Printing; which on motion, was laid on the table.

The Committee on Private Bills, through their Chairman, Mr. Collins, of Chowan, reported back to the House the following bills, and recommended their passage:

A bill to incorporate Columbus Academy, near the town of Whiteville;

A bill to pay tales jurors, in the county of Rutherford;

A bill to incorporate the Trustees of Buena Vista Academy, in the county of Iredell;

A bill to pay tales jurors, in the county of Halifax;

A bill to pay tales jurors, in the county of Columbus;

A bill concerning inspectors, &c, for the town of Wilmington;

A bill to incorporate the 'True Brothers' Society, in the town of Wilmington.

These bills were severally read a second time and passed.

The Committee on Private Bills, through their Chairman, Mr. Collins, of Chowan, reported back the bill to incorporate the town of Lincolnton, with an amendment; pending a discussion of which, Mr. Caldwell, of Lincoln, moved to lay the bill and amendment on the table; which motion was carried.

Mr. Caldwell, of Guilford, introduced "a bill to incorporate the North Carolina Mining Company;" which was read the first time and passed.

On motion of Mr. Cherry, of Bertie,

Resolved, That the use of the Commons Hall be granted this evening at 3 o'clock to the State Agricultural and Industrial Convention.

The committee on corporations, through their chairman, Mr. Caldwell, of Guilford, reported back to the House the bill to incorporate the Guilford County Mining company, and recommend its passage; whereupon the bill was read its second time and passed.

Mr. Brooks, of Pasquotank introduced "a bill to incorporate the Farmer's Bank of North Carolina; which was read the first time, passed, referred to committee on corporations and ordered to be printed.

Mr. Caldwell, of Guilford, introduced "a bill to incorporate the Hillsboro' Coal Mining and Transportation company;" which was read the first time and passed.

On motion of Mr. Martin, of Franklin.

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of so amending the law as to authorize the foreman of each and every Grand Jury of the Superior Courts of law in this State, to administer the oath to any witness or witnesses that may appear before said jury or juries.

Mr. Boyd, of Yancey, introduced a bill to incorporate the Burnsville Division, No. 209 of the Sons of Temperance; which was read the first time, passed, and referred to the Committee on Corporations.

On motion of Mr. McNeil, of Robeson, the House adjourned till to-morrow, 11 o'clock.

TUESDAY, Oct. 19th 1852.

The Speaker announced the following Committees.

Committee on the part of the House to revise or abolish the Militia Laws.—Messrs. Webb, Hawkins, McDugald, Bryant, Teague, Pegram.

Committee on Swamp Lands.—Messrs. Cherry, Corbett, Jones, Burr and W. H. Lyon.

Committee to prepare Tabular Statements of the Population &c.—Messrs. Waugh and Whitehurst.

Mr. Hill, of Caswell, introduced “a bill concerning official bonds,” which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Munday, of Macon, introduced “a resolution in favor of Joseph Donelson ; which was read the first time, passed, and referred to the Committee on Claims.

Mr. Phelps, of Washington, introduced “a resolution in favor of Charles Latham, Sheriff of Washington ; which was read the first time, passed, and referred to the Committee on Claims.

Mr. Leach, of Davidson, introduced “a bill to amend an act, to incorporate the Washington Mining company, passed in the year 1838’-39, and amended in the year 1850’-51 ; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Reid, of Duplin, introduced "a bill to authorize certain persons therein named to raise by lottery, thirty thousand dollars, for the purpose of clearing out Goshen, in the county of Duplin," which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Teague, of Iredell, presented the pension certificate of Ann Patterson, which was ordered to be countersigned by the Speaker, and transmitted to the Senate.

A bill to incorporate the Hillsboro' Coal Mining company was read the second time and passed.

A bill to incorporate the North Carolina Mining company was read the second time and passed, and, on motion of Mr. Caldwell, of Guilford, the rule being suspended, the bill was read the third time.

Mr. Caldwell moved to strike out the names of Albert Camman, Robert McJimsey, A. S. Powell and F. W. Camman; which amendment was adopted, and the bill passed its third reading, and was ordered to be engrossed.

The following bills were severally read the third time, passed, and ordered to be engrossed:

A bill to incorporate Columbus Academy, near the town of Whiteville,

A bill to incorporate the Guilford Mining company;

A bill to incorporate the 'True Brothers' Society;

A bill to amend an act to regulate inspections:

A bill to pay tales jurors in the county of Columbus:

A bill to pay tales jurors in the county of Halifax:

A bill to incorporate the trustees of Buena Vista Academy.

The bill to pay tales jurors in the county of Rutherford having been read the third times, Mr. Boyd, of Yancey, moved to amend, by inserting "Yancey" after Rutherford, which amendment was adopted, and the bill passed, and was ordered to be engrossed.

Mr. Marshall, of Stokes, introduced "a bill to require the Courts of Pleas and Quarter Sessions, in the county of Forsyth, pay the Wardens of the Poor in said connty," which was read the first time, passed, and refered to the Committee on Private Pills.

Mr. Marshall, of Stokes, introduced a bill to pay the Justices of the county of Forsyth; who may hereafter take the list of taxables, in said county; which was read the first time, passed, and referred to the Committee on Private Bills.

On motion of Mr. Wheeler, of Lincoln, the House adjourned till to morrow, 11 oclock.

WEDNESDAY, OCT. 20th, 1852.

The Committee on the Judiciary reported back to the House the bill to amend an act, entitled an act providing for keeping a record of marriages, with a recommendation that it pass; whereupon the bill was read the second time and passed.

Mr. Smith, of Halifax, presented a memorial from the State geocultural Society, praying for an appropriation to carry

out the object of their association, accompanied with the following resolution.

Resolved, That the Treasurer of the State be authorized to pay to Wilson W. Whitaker, Treasurer of the State Agricultural Society, one thousand dollars, to be applied by said society for the promotion of the laudable objects for which it was organized ; which were read the first time, passed and ordered to be laid upon the table and printed.

The Committee on the Judiciary reported back to the House the bill to pay tales Jurors, with a substitute, and a recommendation that the substitute do pass.

The bill was read the second time, and the substitute of the committee adopted ; the question then recurring "shall the bill pass ? pending a discussion, it was, on motion of Mr. Dobbin, of Cumberland, laid on the table and ordered to be printed.

The Committee on Propositions and Grievances to whom was referred to a memorial from sundry citizens of Ashe county praying for a repeal of the tax on retailers, so far as Ashe county is concerned, where the liquor is made of the corn or the fruit, of the liquor of the man who retails, reported back the same to the House with a recommendation that the prayer be not granted and asking that the committee be discharged from the further consideration of it ; which report was concurred in.

The Committee on Propositions and Grievances, to whom was referred the bill proposing to attach a portion of Wilkes county to the county of Alexander, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

The Committee on the Judiciary, to whom was referred the bill concerning the Superior Courts of Randolph county,

reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed

A message was received from the Senate, informing the House that Messrs. Boyd and Palmer form the Senate branch of the Committee on Tabular Statement.

The Committee on Corporations, to whom was referred the bill to incorporate the Greensboro' Life Insurance and Trust Company, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Caldwell, of Guilford, moved that the rule be suspended, and that the bill be put on its third reading; which motion was carried.

The bill was read the third time, passed and ordered to be engrossed.

Mr. Tolson, of Anson, introduced "a bill to repeal an act of 1850-'51, taxing pistols, &c., and making it indictable to carry them;" which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Munday, of Macon, introduced "a bill for the relief of Clark Bird;" which was read the first time, passed and referred to the Committee on Propositions and Grievances.

On motion of Mr. Lander, of Lincoln,

Resolved, That the Committee on Education be required to report a bill authorizing the President and Directors of the Literary Board, to pay over directly to the Superintendent of Common Schools for Gaston county, the money to which the county of Gaston is legally entitled.

Mr. Matthews, of Forsythe, introduced "a bill to repeal the 25th chapter of the Statutes, passed at the session of 1850-'51;" which was read the first time, passed and referred to the Committee on revising or abolishing Militia Laws.

A bill to incorporate the Hillsboro' Coal Mining Company was read the third time, passed and ordered to be engrossed.

On motion of Mr. Dargan, of Anson, the House adjourned until to-morrow 11 o'clock.

THURSDAY, October 21st, 1852.

The Committee on Finance, to whom was referred the bill to repeal in part the 31st section of the Revised Statutes, chapter 102, reported the same back to the House, and recommended that *it do not pass*.

Mr. Reid of Duplin, moved to lay the report and bill on the table, and that the bill be printed; which motion was carried—Yeas 52, nays 45.

The Committee on Finance, to whom was referred the resolution enquiring into the necessity of altering the Revenue Laws of the State, reported that the whole subject of the Revenue was under consideration, and they expected *very soon*, should the public emergency require it, to report a bill setting forth their views on the subject.

On motion the resolution and report were laid upon the table.

The Committee on Finance, to whom was referred a resolution instructing them to inquire into the expediency of amending section 10th of the Revised Statutes, chap. 102, reported the same back to the House, and recommended that it is *not expedient* to repeal said section.

Mr. Phillips moved to lay the report and resolution on the table; which motion was lost, and the question recurring shall the report be concurred in?

It was carried.

The Committee on Finance, to whom was referred the resolution on taxation, &c., reported the same back to the House, and asked to be discharged from the further consideration of the resolution.

The Committee on Propositions and Grievances, to whom was referred the bill to alter the line between the counties of Lincoln and Gaston, reported the same back to the House, and recommended that it do not pass.

On motion of Mr. Lander, the bill and report were laid upon the table.

The Committee on Propositions and Grievances, to whom was referred a bill for the central division of Iredell county, reported the same back to the House, with an unanimous recommendation that it do not pass.

On motion of Mr. Fagg, the bill and report were laid upon the table.

The Committee on Corporations, to whom was referred a bill concerning private corporations, reported the same back

to the House and unanimously recommended that it do not pass.

On motion of Mr. Mooring, of Martin, the bill and report were laid upon the table.

The Committee on Corporations, to whom was referred a bill to amend an act to incorporate the Washington Mining Company, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

On motion of Mr. Saunders, of Wake,

Resolved, that a message be sent to the Senate, proposing that the Secretary of State transmit by mail forthwith, to each of the sheriffs of the State, a copy of the act passed at the present session of the Legislature for laying off the State into Electoral Districts for the Election of Electors for President and Vice President of the United States and that the Treasurer pay for any expense arising from this order.

Mr. Dobbin, of Cumberland, introduced a bill to amend an act passed by the General Assembly at the session of 1850-'51, entitled an act to incorporate the Fayetteville and centre Rail Road Company," which was read the first time and passed.

Mr. Miller, of Caldwell, introduced the following resolution:

Whereas, his Excellency, the Governor, has brought to the attention of the Legislature, in his message, the fact of the resignation of R. M. Saunders Esq., one of the commissioners to revise the public Statutes of the State; and, whereas, he has declined filling the vacancy thus occasioned (as by law he was authorized to do) until first bringing the matter to the consideration of the General Assembly:

Therefore,

Resolved, That the public interests of the State require, that the Governor proceed, without delay, to fill the vacancy in the commission to revise the public Statutes, occasioned by the resignation of R. M. Saunders Esq.,

Mr. moved to lay the Resolution upon the table.

On this motion the yeas and nays were demanded by Mr, Miller, of Caldwell; which being ordered:

Those who voted in the affirmative, are :

Messrs. Alford, Allen, Amis, Avery, Black, Blow, Bryant, Burton, T. Bynum, J. B. Bynum, Byrd, Chesnutt, Cotton, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Furr, George, Godwin, Hawkins, Herring, S. P. Hill, Ingram, Jarvis, Lander, Lockhart, Long, Love, Martin, Marshall, Mills, Mooring, Munday, Norfleet, Pegram, Perry, Phelps, Phillips, D. Reid, A. Reid, Rives, Russell, W. H. Sanders, Sauls, Scales, Sherrill, Sutton, Walton, Waugh, Wheeler, Wiley, S. A. Williams, Wilder, Wood, and Barrett—59.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Barco, Brooks, J. A. Caldwell, D. F. Caldwell, Carmichael, Cherry, Collins, Cook, Daniel, Dargan, Erwin, Eure, Fagg, Gaither, Gwynn, W. H. Harris, W. S. Harris, Holeman, Johnson, Jones, Leach, W. J. Long, Lowry, Lyon, Matthews, Miller, McDugald, McIntyre, Purkins, Puryear, Shimpoek, Simons, Smith, Spruill, Styles, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, W. Turner, Webb, Whitehurst, and B. F. Williams—48.

Mr. Lander, of Lincoln, introduced "a bill concerning the Distribution of the School Fund, in the county of Gaston ;" which was read the first time, passed and referred to the Committee on Education.

Mr. Reid, of Duplin, introduced "a bill to authorise the County Court of Duplin to sell a part of the public lands of the said county ; which was read the first time and passed.

Mr. Lowry, of Buncombe, introduced a bill to prohibit the felling of timber in the French Broad River and its tributaries, which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Burton, of Cleaveland, introduced "a bill to repeal the seventh section of the 85th chapter of the Revised Statutes;" which was read the first time, passed and referred to a Select Committee of five.

Mr. Dargan, of Anson, introduced "a bill to amend the Constitution of the State;" which was read the first time, passed and referred to the Committee on the Judiciary.

On motion of Mr. B. F. Williams, the House adjourned till to-morrow, 11 o'clock.

FRIDAY, OCT. 22, 1852.

The Judiciary Committee, to whom was referred so much of the message of his Excellency, the Governor, as relates to the commission to revise the Statutes, made a report accompanied with the following resolution:

Resolved That the subject of revising and digesting the Statutes of the State, be postponed until after the report of the commissioners appointed by the Governor for that purpose shall be received.

Mr. Spruill, of Bertie, moved to recommend the report and resolution to the committee on the judiciary, with instructions to report a bill on the subject of the commission to revise the Statutes, if, in their opinion, they should believe the commission has expired.

Mr. Albertson, of Perquimans, moved the following resolution, as an amendment:

Resolved, That the commissioners to revise the Statutes of the State, be called upon to report the extent and result of their labors to this House, at as early day as they can conveniently do so.

Mr. Avery, of Burke, moved to lay the amendments and original resolution upon the table.

Which motion was lost.

The question was then put upon the amendment offered by Mr. Albertson, which was lost.

The question was then put—shall the resolution be re-committed with instructions? and lost—yeas 38, nays 56.

The question now recurring on the original resolution, it was carried without a division.

The Committee on the Judiciary, to whom was referred the resolution as to the expediency of requiring the employment of white managers, where negroes are employed, reported that it was inexpedient to pass such an act and recommended that the Resolution be laid upon the table.

Which report was concurred in.

The Committee on the Judiciary to whom was referred the resolution to enquire into the expediency of authorizing Foremen of Grand Jurors in Superior Courts to administer the oath to witnesses, reported the same back to the House and recommended that it be laid on the table, and asked to be discharged from its further consideration.

Which report was concurred in.

The Committee on the Judiciary, to whom was referred a bill proposing to alter the Grand Jurors, oath, reported the same back to the House, and recommended that it do not pass. The bill was read the second time and rejected.

On motion of Mr. Harris of Cabarrus.

Resolved, That the Comptroller of Public accounts furnish to this House a statement of the expense of the printing of the Proclamation of the Governor, upon the subject of Free Suffrage, or an estimate thereof.

The select Committee on furnishing the Hall made a report accompanied by the following resolution :

Resolved, That James F. Taylor, Public Librarian, be and he is hereby authorized to carry into effect, as soon as practicable, the recommendations contained in the foregoing report, by having such alterations and improvements made and by purchasing such articles as are therein specified.

Resolved, That for making such alterations and improvements, the sum of a thousand dollars be appropriated, or such sum as may be necessary to accomplish the object of this report, not exceeding the limits therein specified.

Resolved, That a similar appropriation be made for the Senate Chamber, out of any money in the treasury, not otherwise appropriated by law.

Which were read the first time and passed.

The Committee on Corporations, to whom was referred the bill to incorporate Burnsville Division No. 209 Sons of Temperance, reported it back to the House with the following amendment : After the words "for the use and benefit of said Division" insert "not exceeding in valuation twenty five hundred dollars."

The amendment being adopted, the question was put—shall the bill pass its second reading ?

On the question, the yeas and nays were demanded by Mr. Tolson, of Anson.

Those who voted in the affirmative are :

Messrs. Alhertson, Alford, Allen, Amis, Avery; Barco, Brooks, Bryant, Burton, Bynum, J. B. Bynum, Byrd, D. F. Caldwell, Cherry, Chesnutt, Collins, Corbitt, Daniel, Dobbin, Eure, Fagg, Gaither, George, Gwynn, W. S. Harris, W. H. Harris, Hawkins, erring, Johnson, Jones, Leach, Long, Lowry, Love, Lyon, McDugald, McIntyre, McNeill, Norfleet, Pegram, Perry, Perkins, Phelps, Puryear, D. Reid, Russell, Seales, Simons, Smith, Spruill, Styles, Strange, Stubbs, Sutton, Teague, Thornburgh, Tripp, W. Turner, Walton, Ward, Whitehurst, B. F. Williams, S. A. Williams and WoodErtw

Those who voted in the negative are :

Messrs. Adams, Barrett, J. A. Caldwell, Calloway, Carmichael, Cook, Cotton, Dobsnn, Dortch, Dunn, Ellis, Furr, Godwin, S. P. Hill, Holman, Jarvis, Lander, William Long, Martin, Marshall, Matthews, Miller, Munday, Phillips, A. Reid, W. H. Sanders, Sauls, Sherrill, Shimpock, Tolson, Trexler, J. Turner, Waugh and Wheeler—34.

So the bill passed its second reading,

On motion of Mr. Wheeler, of Lincoln, the bill to alter the line between the counties of Lincoln and Gaston, was taken from the table and recommended to the Committee on Propositions and Grievances.

A message was received from the Senate, concerning the proposition in relation to the bill laying off the State into Electoral Districts.

Mr Martin, of Franklin, introduced the following resolution, which was laid on the table under the rule:

Resolved, That when the House adjourn hereafter, it shall be the hour of ten o'clock, until otherwise ordered.

On motion of Mr. Martin, of Franklin, the House adjourned until to-morrow 11 o'clock.

SATURDAY, October, 23rd 1852.

The Speaker announced the following Select Committee :

Messrs Burton, Simons, Dunn, Trexler and Allen on the bill to repeal the 7th section, 85th chapter Revised Statutes

The Committee on Education, to whom was referred the bill relative to the School fund of Gaston county, reported the same back to the House, and recommended its passage.

Whereupon, it was read the second time and passed.

The Committee on the Judiciary, to whom was referred the bill concerning the embankment of low grounds, reported the same back to the House with a substitute and recommended that the substitute do pass; which recommendation being concurred in, the bill was read the second time and passed.

The Committee on Private Bills, to whom was referred the bill to sell the Poor House land in Lincoln, reported the same back to the House, with a substitute, and recommended the passage of the substitute; which recommendation being concurred in, the bill was read the second time and passed.

The Committee on Private Bills, to whom was referred the bill to pay the Wardens of the Poor, of the county of Forsyth, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time, and, on motion of Mr. Waugh, was laid upon the table.

The Committee on Private Bills, to whom was referred the bill to repeal a private law, for the county of Pasquotank, reported the same back to the House, and recommended its passage.

Whereupon, it was read the second time and passed.

The Committee on Private Bills, to whom was referred a bill respecting landings and piers of inspection, reported the same back to the House with an amendment, and recommended its passage as amended; which recommendation being concurred in, the bill was read the second time and passed.

The Committee on Private Bills, to whom was referred a bill in favor of Henry Ingold, of Catawba, reported the same back to the House, and recommended that it do not pass.

Whereupon, the bill was read the second time, and, on motion of Mr. Lander, of Lincoln, laid upon the table.

Mr. Shimpock, of Cabarrus, introduced "a bill to incorporate the Concord and Anson Plank Road Company;" which was read the first time, passed, and referred to the Committee on Internal Improvements.

A message was received from the Senate, transmitting the following engrossed bills:

1st. To give exclusive jurisdiction to the Superior Courts for the county of Stanly.

2nd. To establish a road in Catawba county; which were read the first time and passed.

Mr. Phillips, of Orango, introduced "a bill to facilitate the decision of controversies at law, arising upon instruments under seal;" which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Tripp, of Beaufort, introduced "a bill to establish the boundary line between the counties of Beaufort and

Craven ;" which was read the first time, passed and referred to the Committee on Private Bills.

Mr. Wood, of Craven, introduced "a bill to amend the 9th section of an act concerning Common Schools, passed in 1844 ;" which was read the first time, passed, and referred to the Committee on Education.

Mr. Williams, of Warren, introduced "a bill to amend an act passed at the session of 1840, chapter 30th, entitled an act to prevent persons of color from carrying fire-arms ;" which was read first time, passed, and referred to the Committee on the Judiciary.

On motion of Mr. Caldwell, of Guilford,

Resolved, That his Excellency, David S. Reid, be requested to inform this House, whether the State's claim, against the General Government for money advanced and transportation furnished to the North Carolina Volunteers, in the recent war with Mexico, have been settled, or whether negotiations are pending to effect the same.

Mr. Miller, of Caldwell, introduced the following resolution, which on motion, was laid upon the table:

Resolved, That a message be sent to the Senate, proposing to go into the election of Secretary of State, on Monday next at 12 o'clock.

On motion to lay upon the table, the yeas and nays were demanded by Mr. Caldwell.

Those who voted in the affirmative, are :

Messrs. Albertson, Alford, Allen, Avery, Barrett, Black, Blow, Bryant, Burton, Bynum, J. B. Bynum, Byrd, D. F. Caldwell, Calloway, Chesnutt, Corbett, Dobbin, Dobson, Dortch, Ellis, Foreman, George, Godwin, Hawkins, Hili, of Caswell, Herring, Ingram, Jarvis, Lander,

Lockhart, W. Long, Lyon, Marshall, Mills, Munday, McDugald, McIntyre, McNeil, Norfleet, Pegram, Phelps, Phillips, Puryear, D. Reid, A. Reid, Russell, Sanders, R. M. Saunders, Sauls, Scales, Sherrill, Simons, Smith, Strange, Stubbs, Sutton, Tolson, Trexler, Tripp, W. Turner, Walton, Ward, Waugh, S. A. Williams, Wilder and Wood—66.

Those who voted in the negative, are :

Messrs. Barco, Brooks, Carmichael, Collins, Cook, Cotton, Daniel, Dunn, Erwin, Fure, Fagg, Furr, Gaither, Gwynn, Harris, W. H. Harris, Holeman, Johnson, Jones, Leach, W. J. Long, Lowry, Love, Matthews, Miller, Perry, Perkins, Shimpock, Spruill, Styles, Teague, Thornburg, J. Turner, Whitehurst, B. F. Williams and Wiley—36.

Mr. Dobbin, of Cumberland, introduced "a bill authorizing the probate of all deeds and bills of sale, requiring registration before the Clerks of the Courts of Pleas and Quarter Sessions, at any time"; which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Wood, of Craven, introduced a bill to authorize any fifteen Justices of the Peace, of the county of Craven, to appoint Superintendents of Common Schools, for said county; which was read the first time, passed and referred to the Committee on Private Bills.

Mr. Burton, of Cleveland, introduced a bill to appoint Commissioners to sell a portion of the streets in the town of Shelby, county of Cleveland; which was read the first time, passed and referred to the Committee on Private Bills.

The resolutions of the Select Committee on furnishing the Halls were read the second time and passed—Yeas 52, nays 46.

Mr. Teague, of Iredell, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Alford, Allen, Avery, Barco, Brooks, Burton, D. F. Caldwell, Cherry, Chesnutt, Cook, Corbett, Daniel, Dobbin, Dortch, Ellis, Erwin, Eure, Foreman, George, Hawkins, S. P. Hill, Holman, Johnson, Jones, Leach, Lockhart, Long, W. J. Long, Lowry, McDugald, McIntyre, McNeill, Norfleet, Perry, Phelps, Phillips, D. Reid, Russell, R. M. Saunders, Scales, Simons, Spruill, Strange, Stubbs, Sutton, Tripp, Ward, Wiley, S. A. Williams and Wilder.—52.

Those who voted in the negative, are :

Messrs. Barrett, Bryant, T. Bynum, J. B. Bynum, Calloway, Carmichael, Collins, Dobson, Dunn, Furr, Gaither, Godwin, Gwynn, W. H. Harris, Herring, Ingram, Jarvis, Lander, Love, Lyon, Marshall, Matthews, Miller, Mills, Munday, Pegram, Perkins, Puryear, A. Reid, W. H. Sanders, Sauls, Sherrill, Shimpock, Smith, Styles, Teague, Thornburg, Tolson, Trexler, W. Turner, Walton, Waugh, Whitehurst, B. F. Williams and Wood—46.

On motion of Mr. Cherry, the rules were suspended, and the resolution read the third time, passed and ordered to be engrossed.

On motion of Mr. Turner,

Resolved, That the Committee on the Judiciary be instructed to enquire into the expediency of repealing, altering or amending, section first, chapter 48, of the Revised Statutes, concerning fines, and that they report the same to this House.

A bill to amend an act, passed by the General Assembly at the session of 1850-'51, entitled an act to incorporate the Fayetteville and Centre Plank Road Company, was read the second time and passed.

A bill to authorize the County Court of Duplin, to sell a part of the public lands of said county, was read the first time and passed.

A bill concerning Wilkes county line was read the third time, passed and ordered to be engrossed.

Mr. Williams, of Warren, moved to take from the table the bill concerning tales jurors; which motion was lost.

Mr. Lander, of Lincoln, moved to take up the resolution in favor of J. W. Lowe, Sheriff of Lincoln, and refer it to the Committee on Private Bills; which motion was carried.

On motion of Mr. Waugh, of Forsyth, the House adjourned till Monday 11 o'clock.

MONDAY, OCT. 25th, 1852.

The Speaker announced the Committee on Enrolled Bills for the week, to consist of Messrs. Blow, Ellis, T. Bynum, W. Turner and Wood.

The Committee on Internal Improvements, through their Chairman, Mr. Avery, of Burke, reported back to the House the bill to amend an act, entitled an act to incorporate the Western Plank Road Company, with an amendment, and recommended that the bill as amended do pass.

Whereupon, the bill was read the second time.

Mr. Wheeler, of Lincoln, moved to strike out the second section of the bill; which was carried, and the bill, as amended, passed.

Mr. Wheeler moved that the rule be suspended, and the bill be put on its second reading.

This motion having prevailed, the bill was read the third time, passed and ordered to be engrossed.

On motion of Mr. Perkins, of Halifax, leave of absence was granted to Mr. Smith, of Halifax, for eight days.

Mr. Avery, of Burke, introduced "a bill to amend the Constitution of North Carolina, which was read the first time, passed and referred to the Select Committee on Constitutional Reform.

Mr. Saunders, of Wake, introduced "a bill abolishing trial by Jury in the County Court, and for the more speedy and certain administration of justice;" which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Reid, of Duplin, moved to take from the table the bill to repeal in part the 31st section of the 102d chapter of the Revised Statutes, concerning the revenue.

Which motion having prevailed, the bill was read the second time and passed.

A bill to incorporate the town of Lincolnton was read the second time, and the amendment proposed by the Committee on Private Bills adopted.

Mr. Caldwell, of Lincoln, moved to amend the seventeenth section, by striking out, "or principally employed;" which was carried.

Mr. Caldwell moved to strike out the 28th section.

Lost.

The question then recurring—shall the bill pass? it was decided in the affirmative.

A message was received from his Excellency, the Governor, in reply to the resolution of Mr. Caldwell, of Guilford

and transmitting a letter from John S. Gallagher, of the Third Auditor's Office, Washington city, containing the information sought by said resolution.

Which was read, and, on motion, laid on the table.

Mr. Eure, of Gates, introduced a bill to establish a homestead freehold, by exempting from execution a certain portion of the land of every citizen of the State of North Carolina; which was read the first time, passed, and, on motion of Mr. Spruill, of Bertie, was laid on the table and ordered to be printed.

Mr. Sutton, of Lenoir, presented the resignation of Sam'l Howard as a Justice of the Peace for the county of Lenoir; which was read and accepted.

Mr. Cook, of Wilkes, moved to reconsider the vote of Saturday, on the resolutions of the select committee on furnishing the Hall; which motion was lost—Yeas 36, nays 52.

Mr. Caldwell, of Guilford, moved to reconsider the vote by which the bill to repeal in part the 31st section of chapter 102 of the Revised Statutes, was rejected this morning.

Which motion prevailed—Ayes 50, noes 42.

Mr. Harris, of Davidson, moved to amend, by inserting after "situated," in the 11th line, the words, "where any large creek or river divides the two counties"

Mr. Reid, of Duplin, moved to recommit the bill and amendment to the Committee on Finance, which motion prevailed.

A bill to authorise the County Court of Duplin to sell a part of the public lands of said county was read the second time.

Mr. Reid, of Duplin, moved to amend, by inserting, after the word "Duplin," the words, "a majority of the acting justices being present."

Which motion was carried, and the bill, as amended, was passed and ordered to be engrossed.

Mr. Burton, of Cleaveland, introduced the following resolution, which was adopted :

WHEREAS, a very large, respectable and industrious class of our mechanics in this State have been almost entirely deprived of a means of subsistence, on account of the great influx of ready made clothing from the Northern States :

Therefore,

Resolved, That the Committee on Finance be requested to enquire into the propriety of laying a tax upon all ready made clothing, brought into North Carolina from other States, for sale, sufficient to give a reasonable protection to clothiers of this State.

The Committee on Claims reported back to the House, a bill to authorise Mills Higgins, sheriff of McDowell county, to collect arrears of taxes due him, and asked its reference to the Committee on Private Bills.

Which report was concurred in, and reference made.

The bill to authorise Henry Ingold, of Catawba county, to erect a gate on the road crossing the Catawba River, at Oxford, was, on motion of Mr. Lander, of Lincoln, taken from the table and read the second time, and, on motion of Mr. Spruill, of Bertie, indefinitely postponed.

The following bills were read a third time, passed and ordered to be engrossed :

A bill to amend an act passed at the General Assembly, the session of 1850-'51, entitled "an act to incorporate the Fayetteville and Centre Plank Road company ;"

A bill to incorporate Burnsville Division, No. 209, Sons of Temperance ;

A bill to amend an act to incorporate the Washington Mining company, passed in the years 1838 and '39, and amended in the years 1850-'51 ;

A bill concerning a record of marriages.

On motion of Mr. Burton, of Cleaveland, the House adjourned until to morrow, 11 o'clock.

Mr. Gaither demanded the yeas and nays, which were ordered.

Those who voted in the affirmative, are :

Messrs. Albertson, Alford, Allen, Amis, Avery, Barco, Barrett, Black, Burton, J. B. Bynum, J. A. Caldwell, D. F. Caldwell, Calloway, Carmichael, Cherry, Christmas, Collins, Cook, Cotton, Dobson, Dortch, Ellis, Erwin, Eure, Fagg, Foreman, George, W. S. Harris, W. H. Harris, Hawkins, Jones, Lander, Leach, W. J. Long, Lowry, Love, Mills, Mooring, Munday, Norfleet, Perry, Perkins, Phelps, D. Reid, Sauls, Shimcock, Strange, Stubbs, Sutton, Tripp, J. Turner, Watters, Ward, Wheeler, Whitehurst, Wiley and Wilder—57.

Those who voted in the negative, are :

Messrs. Brooks, Bryant, T. Bynum, Byrd, Chesnutt, Corbett, Daniel, Dunn, Furr, Gaither, Godwin, Gwynn, Herring, S. P. Hill, W. E. Hill, Holeman, Ingram, Jarvis, Johnson, W. Long, Lyon, Marshall, Matthews, Miller, McDugald, McIntyre, McNeill, Pegram, Phillips, Puryear, A. Reid, Russell, Scales, W. H. Sanders, Sherrill, Simons, Spruill, Styles, Teague, Thornburg, Tolson, Trexler, W. Turner, Walton, Waugh, B. F. Williams, S. A. Williams, and Wood—47.

TUESDAY, Oct. 26, 1852.

A communication was received from the Comptroller, in reply to a call from the House, informing the House that the cost of the proclamation of his Excellency, the Governor, concerning "Free-Suffrage," would be about \$1900; which was read, and, on motion of Mr. Harris, of Cabarrus, laid upon the table.

Mr. Lander, of Lincoln, presented a memorial from Ephraim Lutz, and wife Catharine; which was read and referred to the Committee on the Judiciary.

The Committee on the Judiciary, through Mr. Dortch, of Wayne, reported back to the House the bill to amend sec. 1st, chapter 86, of the Revised Statutes, entitled an act concerning the appointment and duties of a patrol in each county, and recommended that it do not pass.

The question being put, the bill was rejected—Ayes 31, noes 75.

The yeas and nays were demanded by Mr. Williams, of Warren.

Those who voted in the affirmative are :

Messrs. Adams, Albertson, Alford, Caldwell, D. F. Caldwell, Carmichael, Cherry, Cook, Gwynn, W. H. Harris, Lander, Leach, W. Long, Matthews, Miller, Mooring, McDugald, Norfleet, Phelps, Phillips, Puryear, Spruill, Styles, Stubbs, Teague, Thornburg, Trexler, Tripp, W. Turner, Watters, and B. F. Williams—31.

Those who voted in the negative are :

Messrs. Allen, Amis, Avery, Barco, Barrett, Black, Blow, Bryant, Burton, Bynum, J. B. Bynum, Byrd, Calloway, Chesnutt, Cotton, Corbett, Daniel, Dobson, Dortch, Dunn, Durham, Ellis, Erwin, Fagg, Foreman, Furr, Gaither, George, Godwin, W. S. Harris, Hawkins, Herring, S. P. Hill, W. E. Hill, Holeman, Ingram, Jarvis, Jones, Lockhart, W. J. Long, Lowry, Lyon, Martin, Marshall, Mills, Munday, McIntyre, McNeill, Pegram, Perry, Perkins, D. Reid, A. Reid, Rives, Russell, W. H. Sanders, R. M. Saunders, Sauls, Scales, Sherrill, Shimpock, Simous, Strange, Sutton, Tolson, J. Turner, Walton, Ward, Waugh, Wheeler, Wiley, S. A. Williams, Wilder, Wood and Christmas,—75.

The Committee on the Judiciary, through Mr. Avery, of Burke, reported back to the House, the bill to facilitate the decision of controversies at law, arising upon instruments under seal, and recommended that it do not pass.

Whereupon, Mr. Cherry, of Bertie, introduced the following resolutions, which were read and unanimously adopted.

Resolved, That we have heard with deep regret of the death of that illustrious Statesman, jurist and orator, Daniel Webster, who, eminent during a long life, by a gigantic intellect, a profound knowledge of the constitution of his country, and vast acquirements in every department of human knowledge, consistently devoted them all to the service of his country, to advance her prosperity and glory and the welfare of her people.

2d. *Resolved*, That as an expression of our respect for the memory of the mighty dead, this House do now adjourn.

On motion of Mr. Dobbin, of Cumberland, the House adjourned until to morrow 11 o'clock.

WEDNESDAY, Oct. 27th, 1852.

Mr. Dortch, of Wayne, from the Committee, on the Judiciary, to whom was referred the bill on jury trials, in the county of Columbus, reported the same back to the House, amended by the committee, and recommended its passage.

Whereupon, the bill was read the second time, and amended, and, on motion of Mr. George, of Columbus, was said upon the table.

Mr. Dortch, from the same Committee, to whom was referred the bill to extend the right of appeal in certain cases, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Dobbin, of Cumberland, in behalf of the same committee, to whom was referred a bill authorizing the probate of all deeds and bills of sale requiring registration before the Clerks of the County Courts, at any time, reported the same back to the House, and recommended its passage.

Whereupon the bill was read the second time and passed.

Mr. McDugald, of Bladen, from the same Committee, to whom was referred a bill to amend the act passed at the session of 1840, chapter 30th, entitled an act, to prevent free persons of color from carrying fire arms, reported the same back to the House, and recommended that it do not pass.

Whereupon the bill was read the second time and rejected—Ayes 44, nays 61.

Mr. Waillins, of Warren, demanded the yeas and nays

Those who voted in the affirmative are :

Messrs. Adams, Allen, Amis Black, Blow, Bryant Burton, J. A. Caldwell, Christmas, Cotton, Corbett, Durham, Erwin, Fagg, Godwin, W. S. Harris, Herring, W. E. Hill, Jarvis, Jones, Lander, Leach, Lockhart, Lowry, Martin, Marshal, Mathews, Miller, Pegram, Perry, Phillips, D. Reid, W. H. Sanders, R. M. Saunders, Simons, Stubbs, Trexler, Tripp, J. Turner, Watters, Waugh, S. A. Williams, Wilder and Walton—44.

Those who voted in the negative are :

Messrs. Alford, Avery, Bateo, Barrett, J. B. Bynum, Byrd, D. F. Caldwell, Calloway, Carmicheal, Cherry, Chesnutt, Collins, Cook, Daniel, Dargan, Dobson, Dortch, Dunn, Ellis, Eure, Furr, Gauther, George, Gwynn, W. H. Harris, S. P. Hill, Holeman, Ingram, W. Long, W. J. Long, Love, Lyon, Mills, Mooring, Munday, McDugald, McIntyre, McNeill, Nortfleet, Perkins, Phillips, Puryear, A. Reid, Rives, Russell, Sauls, Scales, Sherrill, Shimpock, Spruill, Styles, Strange, Teague, Thornburg, Tolson, W. Turner, Ward, Wheeler, B. F. Williams, Wiley, and Wood—61.

Mr. Phillips, of Orange, in behalf of the same committee, to whom was referred a bill for facilitating the trial of certain causes, reported the same back to the House, and recommended that it do not pass.

Whereupon, the bill was read the second time, and, on motion of Mr. Albertson, recommitted to the Committee on the Judiciary.

Mr. Collins, of Chowan, in behalf of the committee on Private Bills, to whom was referred a bill to authorize any fifteen of the Justices of the county of Craven, to appoint Superintendents of Common Schools for said county, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Collins, in behalf of the same committee, to whom was referred a bill to appoint Commissioners to sell a portion of the streets, in the town of Shelby, county of Cleveland, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Collins, in behalf of the same committee, to whom was referred a bill to establish the dividing line between the counties of Beaufort and Craven, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Collins, in behalf of the same committee, to whom was referred a bill requiring the County Court for the county of Forsyth, to pay the Justices who may hereafter take the lists of taxables in said county, reported the same back to the House, with amendments, and recommended that the bill as amended do pass.

Mr. Saunders, of Wake, moved to amend, by striking out all after the words, "a bill," and inserting in lieu thereof the general bill prepared by the Judiciary.

Which motion was carried, and the bill, thus amended, passed its second reading.

A message was received from the Senate, informing the House that Messrs. Murray, Herring and Ward form the Senate branch of the Committee on Enrolled Bills, for the present week.

Also, transmitting an engrossed bill to alter the name of the county seat of Stokes county, and asking the concurrence of the House in the bill.

Whereupon, the bill was read the first time and passed.

Mr. Hill, of Caswell, introduced "a bill to facilitate the recovery of debts due from non-resident debtors;" which was read the first time, passed, and referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Mooring, of Martin, introduced "a bill to amend the Revised Statutes, chapter 37th, entitled "deeds of conveyances;" which was read the first time, passed, and referred to the Committee on the Judiciary.

A message was received from the Senate, transmitting the engrossed resolutions of the House, on furnishing the two Houses, and proposing amendments thereto, and asking the concurrence of the House therein.

Which amendments were read and concurred in.

Mr. Avery, of Burke, in behalf of the committee on Internal Improvement, to whom was referred a bill to amend an act to incorporate the Raleigh and Gaston Railroad Company, reported the same back with amendments, and recommended its passage.

Whereupon, the bill was read the second time, and the first amendment proposed by the committee adopted.

Pending a discussion of the second amendment proposed,

Mr. Fagg, of Buncombe, moved that the further consideration of the bill be postponed, and that it be made the

special order of the day for Wednesday next at 12 o'clock ; which motion was carried.

On motion of Mr. Avery, of Burke, the House adjourned until to-morrow 11 o'clock.

THURSDAY, October 28th, 1852.

Mr. Avery, of Burke, moved to reconsider the vote by which the bill, taking from the County Courts the power of licensing "Free Negroes to carry fire-arms," was rejected.

Mr. Holeman, of Person, moved the indefinite postponement.

Which motion was rejected.

Mr. Williams, of Warren, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Alford, Allen, Barco, T. Bynum, D. F. Caldwell, Calloway, Carmichael, Cherry, Chesnutt, Collins, Cook, Corbett, Daniel, Dortch, Erwin, Eure, Furr, Gattner, Gwynn, Holeman, Johnson, W. Long, W. J. Long, Lyon, Mills, McDugald, McIntyre, McNeill, Norfleet, Perkins, Phelps, Puryear, A. Reid, Rives, Russell, Sauls, Shimpock, Spruill, Teague, Thornburgh, W. Turner, Wheeler, Whitehurst, B. F. Williams and Wood—46.

Those who vote in the negative, are:

Messrs. Albertson, Amis, Avery, Barrett, Black, Blow, Brooks, Bryant, Byrd, J. A. Caldwell, Christmas, Dobson, Dunn, Durham, Ellis, Fonville, Foreman, George, Godwin, Harris, W. H. Harris, Hawkins,

Herring, W. E. Hill, Ingram, Jarvis, Jones, Lander, Leach, Lockhart, Lowry, Love, Martin, Marshall, Matthews, Miller, Mooring, Munday, Pegram, Perry, Phillips, D. Reid, W. H. Sanders, Scales, Sherrill, Simmons, Styles, Strange, Stubbs, Sutton, Tolson, Trexler, Tripp, J. Turner, Waters, Walton, Waugh, Ward, Webb, S. A. Williams, Wilder and Cotton.—62.

The question then recurring on the motion to reconsider, it was adopted, and then, on motion of Mr. Avery, the bill was laid on the table.

Mr. Avery, of Burke, introduced "a bill to incorporate the North Carolina and Tennessee Railroad company," which was read first time, passed and referred to the Committee on Internal Improvements, and ordered to be printed.

A message was received from his Excellency, the Governor, communicating the biennial report of the President and Directors of the Literary Fund, and the report laid on the table and ordered to be printed.

Mr. Caldwell, of Lincoln, moved to take from the table the bill abridging the powers of Grand Juries, and refer it to a Select Committee of five; which was lost.

Mr. Love moved to take up and refer to the Committee on the Judiciary; which was carried and the bill referred.

A message was received from the Senate, transmitting the engrossed bill to incorporate Literary Institutions and Benevolent and Charitable Societies; which was read the first time, passed and referred to the Committee on Corporations.

Also, transmitting an engrossed resolution in favor of James R. Dodge; which was read the first time, passed and referred to the Committee on Claims.

Leave of absence was granted to Mr. Bynum, of Northampton, for seven days from to-day.

Mr. Puryear, Chairman, in behalf of the Committee of Propositions and Grievances, to whom was referred the bill to prohibit the felling of timber into the French Broad River and its tributaries, reported the same back to the House, with a substitute, as an amendment, and recommended its passage.

The amendment was adopted, and the bill, as amended, passed its second reading.

Mr. Avery, chairman, in behalf of the Committee on Internal Improvement, to whom was referred the bill to incorporate the Fayetteville and Raleigh Plank Road company, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Avery, Chairman, in behalf of the same committee, reported back to the House the bill to incorporate the Concord and Anson Plank Road company, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Saunders, of Wake, chairman, in behalf of the Committee on the Judiciary, to whom was referred a bill to amend the third section, 39th chapter, of the Revised Statutes, entitled Divorce and Alimony, reported it back to the House, with a substitute, as an amendment, and recommended, that, as amended, it do pass.

Mr. Miller, of Caldwell, offered the following amendment:

Be it further enacted, That whenever a woman ascertains, within six months after the solemnization of the marriage, that her husband has gotten a child on the body of any woman before the marriage, the same shall dissolve the marriage, *a vin culo matrimonii*, and she shall be entitled to all the rights and privileges of a single woman.

Which amendment being rejected, the substitute offered by the Committee was adopted.

And the bill passed its second reading—Yeas 33, nays 34.

Mr. Saunders, in behalf of the same committee, reported back to the House, the bill to amend the first section of the 64th chapter of the Revised Statutes, with a substitute, as an amendment, and recommended that the bill, as amended, do pass.

The bill being read the second time, the amendment proposed by the committee was adopted, and the bill pass.

Mr. Saunders, in behalf of the same committee, reported back to the House a bill to repeal an act of 1850-'51, taxing pistols, &c., and making it indictable to carry them, and recommended that it do not passed.

Whereupon, the bill was read the second time and rejected—Yeas 13, nays 91.

Mr. Tolson, of Anson, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Black, Caldwell, of Lincoln, Christmas, Dunn, Furr, Ingram, Lander, McNeil, Sherrill, Tolson, Trexler, Walton and Wheeler—13.

Those who voted in the negative, are :

Messrs. Adams, Alford, Amis, Avery, Bareo, Barrett, Bryant, T. Bynum, Byrd, Caldwell, of Guilford, Calloway, Carmichael, Cherry, Chesnutt, Cook, Cotton, Corbett, Daniel, Dobson, Dortch, Durham, Ellis, Erwin, Eure, Fagg, Fonville, Foreman, Gaither, George, Godwin, Gwynn, Harris, Cabarrus, Harris, of Davidson, Hawkins, Herring, Hill, of Caswell, Hill, of Duplin, Holeman, Jarvis, Johnson, Jones, Lockhart, Long, of Caswell, Long, of Randolph, Lowry, Lyon, Martin, Marshall, Matthews, Miller, Mills, Mooring, Munday, McDugald, McIntyre, Norfleet, Pegram, Perry, Perkins, Phelps, Phillips, Puryear, Reid, of Duplin, Reid, of Rockingham, Rives, Russell, Sanders, of Johnson, Saunders, of Wake, Sauls, Scales, Shimpock, Simons, Spruill, Styles, Strange, Stubbs, Sutton, Teague, Thornburg, Tripp, Turner, of Orange, Watters, Ward, Waugh, Webb, Whitehurst, Williams, of Greene, Williams, of Warren, Wiley and Wood—91.

Mr. Pegram, of Cumberland, introduced "a bill to incorporate the Gulf and Graham Plank Road Company;" which was read the first time and referred to the Committee on Internal Improvements.

Mr. Hill, of Caswell, introduced "a bill to lay off and establish a new county by the name of Ruffin," accompanied by several memorials.

The bill was read the first time, passed and referred with the memorials to the Committee on Propositions and Grievances.

Mr. McDugald, of Bladen, introduced "a bill concerning the sale and inspection of lumber, and ton timber at Wilmington, or other point on the Cape Fear River;" which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Wood, of Craven, introduced "a bill to amend an act passed in 1848-'49, chapter 57, entitled an act to confer on Courts certain powers over imprisoned Lunatics;" which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Dortch, of Wayne, moved to adjourn until to-morrow, 10 o'clock; which motion was lost.

Mr. Johnson, of Guilford, moved to adjourn until to-morrow 11 o'clock; which motion was lost.

Mr. Waugh, of Stokes and Forsyth, introduced "a bill to change the boundary line between Forsyth and Davidson;" which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Martin, of Franklin, moved to take from the table the resolution on adjournment; which motion was carried, and the resolution adopted.

Mr. Ward, of Jones, offered the following resolution, which was read and rejected:

Resolved, That the Committee on the Judiciary, be instructed to enquire into the expediency of enacting a law, altering the time of holding the election of Sheriffs so that the said election shall not occur at the same time as the election of members of the General Assembly.

Mr. Munday, of Macon, introduced "a bill to perfect title to lands, entered in the county of Macon, previous to the 15th of March, 1852;" which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Long, of Randolph, introduced "a bill in relation to the statute of limitation;" which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Cook, of Wilkes, introduced "a bill to repeal the second section of the 79th chapter of an act passed at the session of 1848-'49;" which was read the first time, passed and referred to the Committee on Finance.

Mr. Phillips, of Orange, moved to take from the table, the bill to facilitate the decision of cases at law, arising upon instruments under seal; which motion being carried,

Mr. Phillips moved an amendment to the bill, and then moved that the bill and amendment be laid on the table, and printed; which motion prevailed.

Mr. Miller, of Caldwell, offered the following resolution:

Resolved, That a message be sent to the Senate, proposing to go forthwith into an election of United States Senator.

Pending which,

On motion of Mr. Marshall, the House adjourned.

FRIDAY, OCT. 29th, 1852.

Mr. Dortch, of Wayne, on behalf of the Committee on the Judiciary, to whom was referred a resolution instructing them to enquire into the propriety of giving to Courts of Law jurisdiction over sales of land, for purposes of partition, reported the same back to the House asking to be discharged from its further consideration, as further Legislation on the subject was deemed unnecessary and inexpedient by the committee.

Mr. Phillips, of Orange, moved that the report and resolution be laid upon the table; which motion was carried.

Mr. Webb, of Rutherford, introduced "a bill to incorporate the Western, and North Carolina Railroad Company;" which was read the first time, passed and referred to the Committee on Internal Improvements, and ordered to be printed.

Mr. Caldwell, Chairman, in behalf of the Committee on Corporations, to whom was referred the engrossed bill of the Senate to incorporate Literary Institutions, and Benevolent and Charitable Societies, reported the same back to the House, and recommended that it do pass.

Whereupon, the bill was read the second time and passed.

Mr. Hill, of Caswell, introduced "a bill to incorporate the Bank of Yanceyville;" which was read the first time, passed and referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Bynum, of Chatham, introduced "a bill to incorporate the Haywood and Pittsboro' Plank Road Company;" which was read the first time, passed and referred to the Committee on Corporations.

Mr. Phillips, of Orange, introduced "a bill to give Courts of Law jurisdiction in cases of sales of land for purposes of partition;" which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Phillips, of Orange, introduced "a bill to give Courts of Law Jurisdiction over sales of real and personal property belonging to wards;" which was read the first time, and passed, and referred to the Committee on the Judiciary.

Mr. Thornburgh, of Randolph, introduced "a bill to amend an act passed at the session of 1848-49, concerning the militia; which was read the first time, passed and referred to the committee on revising or abolishing the militia laws.

Mr. Eure, of Gates, introduced the following resolution, which was read, and, on motion of Mr. Spruill, was laid on the table :

WHEREAS, for the last several days, members of both branches of the General Assembly have been leaving daily, and many more have resolved to leave, to-day and to-morrow, to be absent for several days :

And whereas, by a resolution of both Houses, an appropriation has been made to furnish the two Houses, by carpeting the floors, &c. :

Therefore,

Resolved, That a message be sent to the Senate, proposing that when the two Houses adjourn to-day, that they stand adjourned until Monday, the 8th of November next, for the purpose of enabling those having charge of furnishing both Houses, to complete the same.

On the motion to lay upon the table.

The yeas and nays were demanded.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Allen, Barco, Black, Bynum, of Chatham, Byrd, Caldwell, of Guilford, Caldwell, of Lincoln, Carmichael, Cook, Dobbin, Dobson, Dunn, Durham, Ellis, Erwin, Fagg, Furr, Gaither, Gwynn, Harris, of Cabarrus, Harris, of Davidson, Hill, of Caswell, Hill, of Duplin, Holeman, Ingram, Jarvis, Johnson, Jones, Lander, Long, of Caswell, Long, of Davidson, Lowry, Love, Lyon, Martin, Marshall, Mathews, Mills, Monday, M. Dugald, McIntyre, McNeill, Pegram, Phelps, Phillips, Puryear, Reid, of Rockingham, Rives, Sauls, Scales, Snerrill, Shimpock, Simons, Spruill, Styles, Stubbs, Teague, Thornburg, Tolson, Trexler, Turner, of Iredell, Turner, of Orange, Watters, Walton, Ward, Waugh, Webb, Wheeler, Whitehurst, Williams, of Green, Winder and Wood—77.

Those who voted in the negative, are :

Messrs. Amis, Avery, Barrett, Blow, Bryant, Cherry, Chesnutt, Corbett, Daniel, Dorich, Eure, Fonville, Godwin, Herring, Lockhart, Miller,

Mooring, Norfleet, Perry, Perkins, Russell, Sanders, of Johnson, Sutton Tripp, Williams, of Warren and Collins—26.

Leave of absence for four days from and after to-day was granted to Messrs. Corbett, Chesnut, Herring and Bryant.

Leave of absence for four days from and after to-morrow, was granted to Mr. Williams, of Warren.

Leave of absence for four days, from and after Monday, was granted to Messrs. Mooring and Perkins.

Leave of absence for eight days, from and after to day, was granted to Mr. Foreman.

Mr. Phillips, of Orange, introduced a bill to incorporate the Haywood and Chapel Hill Plank Road company; which was read the first time, passed and referred to the Committee on Internal Improvement.

Mr. Miller, of Caldwell, introduced the following resolution, which was read and laid on the table:

Resolved, That a message be sent to the Senate, proposing to go into an election for United States Senator, at 12 o'clock, Monday.

Mr. Ward, of Craven, introduced a bill concerning pilots and pilotage; which was read the first time, passed and referred to the Committee on Propositions and Grievances.

A message was received from his Excellency, the Governor, transmitting the resignations of Justices of the Peace; the resolutions of sundry State Legislatures; and the proceedings of the stockholders of the Wilmington and Raleigh Railroad company.

Also, informing the General Assembly, that the necessary sum had been subscribed to the McDowell and Yancey Turnpike company, to authorise the Board of Internal Improvement, to order the payment of the appropriation for said work, at such times and in such sums as individuals should pay ; and, also, that a director for the State had been appointed.

Which was read and transmitted to the Senate, with a proposition to print the message, and the proceedings of the stockholders of the Wilmington and Raleigh Railroad company.

The Committee on Claims, through their chairman, Mr. Wheeler, to whom was referred the engrossed resolution from the Senate, in favor of James R. Dodge, reported the same back to the House, and recommended that it do pass.

Whereupon, the resolution was read the second time and passed.

Mr. Wheeler moved that the rule be suspended, and the resolution put on its third reading.

Which motion was adopted, and the resolution read the third time, passed and ordered to be enrolled.

Mr. Perry, of Granville, introduced the following resolution, which was read, and, on motion, laid on the table.

Resolved, That a message be sent to the Senate, proposing to go into a balloting, at 1 o'clock P. M., on an adjournment, from and after this day, until the third Monday in November proximo.

On motion of Mr. Spruill, of Bertie, Mr. Norfleet, of Edgecome, was added to the Judiciary & Committee ; and

On motion of Mr. Leach, of Davidson, Mr. Stubbs, of Beaufort, was added to the same committee.

A message was received from the Senate, proposing that the two Houses of the General Assembly adjourn from and after to-day, until Wednesday next.

Mr. Mills, of Rutherford, moved that the proposition be indefinitely postponed ; which was carried—Yeas, 81, noes 20:

Mr. Miller, of Caldwell, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Adams, Albertson, Alford, Allen, Barco, Bynum, of Chatham, Byrd, Caldwell, of Guilford, Caldwell, of Lincoln, Calloway, Carmichael, Cook, Daniel, Dobbin, Dobson, Dortch, Dunn, Durham, Erwin, Fagg, Fonville, Furr, Gaither, George, Godwin, Gwynn, Harris, of Cabarrus, Hill, of Caswell, Hill, of Duplin, Holeman, Jarvis, Johnson, Jones, Lander, Leach, Long, of Caswell, Long, of Davidson, Lowry, Love, Lyon, Martin, Marshall, Matthews, Miller, Mills, Munday, McDugald, McIntyre, McNeill, Pegram, Phelps, Phillips, Puryear, Reid, of Rockingham, Rives, Russell, Sanders, of Johnson, Sauls, Scales, Sherrill, Shimpock, Simons, Spruill, Styles, Stubbs, Thornburgh, Tolson, Trexler, Tripp, Turner, of Iredell, Walters, Walton, Ward, Waugh, Webb, Wheeler, Whitehurst, Williams, of Greene, Williams, of Warren, Wiley, and Wood—81.

Those who voted in the negative are :

Messrs. Amis, Avery, Barrett, Black, Bryant, Cherry, Chesnutt, Collins, Corbitt, Ellis, Eure, Harris, of Davidson, Herring, Mooring, Norfleet, Perry, Perkins, Sutton, Teague and Wilder—20.

Mr. Hill, of Caswell, presented sundry memorials; which were referred to the Committee on Propositions and Grievances.

The following bills were severally read the third time, and ordered to be engrossed :

A bill to suspend private law, for the county of Pasquotank;

A bill relative to the school fund of Gaston county;

A bill to amend an act, entitled an act for landings and places of inspection;

A bill to authorize the Wardens of the Poor, of Lincoln county, to sell the lands in said county, on which the Poor House is situated;

A bill to establish a dividing line between the county of Craven and Beaufort;

A bill concerning the Superior Courts of Randolph county, was read the third time, and amended, by inserting the counties of Alamance and Currituck, and passed as amended.

The bill was then amended, to conform to the amendments of the bill.

A message was received from the Senate, concurring in the proposition to print the message of his Excellency, the Governor, and the proceedings of the Stockholders of the Wilmington and Raleigh Railroad Company.

On motion of Mr. Webb, of Rutherford, the House adjourned.

SATURDAY, Oct. 30, 1852.

¶ Leave of absence was granted to Mr. McIntyre, from and after to day, until Saturday next.

Leave of absence was granted to Messrs. Dortch and Amis, for four days, from and after to day.

Leave of absence was granted to Mr. Perry, of Granville, from and after to-day, until Thursday next.

Leave of absence was granted to Mr. Holeman, from and after to-day, until Wednesday next.

Leave of absence was granted to Mr. Long, of Caswell, for three days, from and after Monday next.

Mr. Turner, of Iredell, presented a memorial from the Regimental Court Martial, of the 52nd Regiment of North Carolina Militia; which was referred to the Committee on-revising or abolishing the Militia Laws.

Mr. Speaker presented a memorial from T. G. Clayton, of Norfolk Virginia; which was read and referred to a select committee of three, consisting of Messrs. McNeill, Caldwell, of Lincoln, and Black.

Mr. Puryear, Chairman, in behalf of the Committee on Propositions and Grievances, to whom was referred a bill to change the boundary line between Forsyth and Davidson, reported the same back to the House, and recommended that it do not pass.

Whereupon, the bill was read the second time, and, on motion, laid on the table.

On motion of Mr. Wilder, of Wake,

Resolved, That the Committee on Finance be instructed to enquire into the expediency of selling or enclosing the public lots belonging to the State, in Raleigh and its vicinity.

On motion of Mr. Webb, of Rutherford,

Resolved, That the Committee on the Judiciary enquire into the most eligible mode for the gradual removal of free negroes or persons of color from this State, and that said committee be authorized to report by bill or otherwise.

Mr. McDugald, of Bladen, introduced "a bill to amend chapter 104, section 1, &c. Revised Statutes, entitled an act, concerning public roads, fences and bridges in this State," which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Phillips, of Orange, introduced "a bill to do away with collateral warrantees," which was read the first time, passed and referred to the Committee on the Judiciary.

The following bills were severally read the third time and passed, and ordered to be engrossed:

A bill concerning the embankment of low grounds:

A bill to authorize fifteen Justices of the county of Craven, to appoint superintendents of Common Schools:

A bill to appoint Commissioners to sell a portion of the streets, in the town of Shelby, county of Cleaveland:

A bill to authorize the probate of all deeds and bills of sale, requiring registration, before the Clerks of the Courts of Pleas and Quarter Sessions, at any time:

A bill to authorize the Courts of Pleas and Quarter Session to make compensation to Justices of the Peace, appointed for taking the list of taxable property:

A bill to amend the first section, 64th chapter, of the Revised Statutes.

The following bills were read the third time, and on motion laid on the table:

A bill to extend the right of appeal in certain cases:

A bill to prohibit the felling of timber into the French Broad River, and its tributaries:

A bill to amend the second section, 39th chapter of the Revised Statutes, entitled "divorce and alimony," was read the third time.

Whereupon, Mr. Caldwell, of Lincoln, moved to amend it by striking out "hath been or," which motion was lost.

The yeas and nays were demanded by Mr. Caldwell.

Those who voted in the affirmative are :

Messrs. Adams, Barco, Caldwell of Lincoln, Calloway, Cook, Dobson, Erwin, Eure, Furr, Gaither, Godwin, Gwynn, Holeman, Matthews, Miller, McNeill, Sanders of Johnson, Tripp, Turner, of Iredell, Waugh and Whitehurst—21..

Those who voted in the negative are :

Messrs. Albertson, Alford, Allen, Black, Byrd, Carmichael, Daniel, Dobson, Durham, Fagg, Fonville, George, Harris of Cabarrus, Hill, of Caswell, Hill of Duplin, Jarvis, Johnson, Jones, Lander, Leach, Lockhart, Long of Caswell, Long of Randolph, Lowry, Love, Martin, Marshall, Mills, Munday, McDugald, Pegram, Phelps, Phillips, Puryear, Reid of Rockingham, Rives, Russell, Scales, Sherrill, Shimpock, Simons, Spruill, Styles, Strange, Stubbs, Teague, Thornburg, Tolson, Trexler, Turner of Orange, Watters, Walton, Ward, Webb Wheeler, Williams of Greene, Wiley, Wilder and Wood—58.

Mr. Caldwell, of Lincoln, moved to amend, by striking out "six" before months, and inserting "one."

Mr. Lander moved to amend the amendment, by striking out "one" and inserting "three," which motion was lost—Yeas 23, nays 43.

The amendment of Mr. Caldwell was then rejected, and the question recurring on the passage of the bill, it was passed, and ordered to be engrossed—Ayes 46, nays 35.

Mr. Tolson, of Anson, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Alford, Allen, Black, Byrd, Carmichael, Cook, Daniel, Dobbin, Dobson, Durham, Eure, Fonville, George, Hill of Caswell, Hill of Duplin, Lander, Leach, Lockhart, Long of Caswell, Long of Randolph, Love, Martin, Marshall, Mills, Munday, McDugald, McNeill, Phillips, Puryear, Reid of Rockingham, Rives, Russell, Scales, Sherrill, Simons, Spruill, Styles, Strange, Turner of Orange, Ward, Waugh, Webb, Wheeler, Williams of Greene, Wilder and Wood—46.

Those who voted in the negative, are :

Messrs. Albertson, Barrett, Barco, Caldwell of Lincoln, Calloway, Cotton, Erwin, Fagg, Furr, Gaither, Godwin, Gwynn, Harris of Cabarrus, Holeman, Jarvis, Johnson, Jones, Lowry, Matthews, Miller, Pegram, Phelps, Sanders of Johnson, Shimpock, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Watters, Walton, Whitehurst and Adams—35.

The report of the President and directors of the Raleigh and Gaston Railroad company was received and ordered to be transmitted to the Senate, with a proposition to print.

A bill to incorporate the town of Lincolnton, was read the third time.

Whereupon, Mr. Caldwell moved to lay the bill on the table.

Which motion was lost.

Mr. Caldwell then moved to postpone the further consideration of the bill till Wednesday next.

Rejected.

Mr. Marshall moved to amend the bill by adding the reto ;
"Provided that the said commissioners shall not lay any tax upon the sale, within the town, of any article, the growth or manufacture of this State, spirituous liquors excepted."

Which amendment was rejected—Ayes 23, nays 53.

Mr. Caldwell demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Adams, Albertson, Barco, Barrett, Black, Caldwell of Lincoln, Carmichael, Cook, Durham, Erwin, Jarvis, Jones, Marshal, Mathews, Miller, Mills, McDugald, Phelps, Russell, Teague, Trexler, and Waugh—23.

Those who voted in the negative are :

Messrs. Alford, Byrd, Cotton, Daniel, Dobbin, Dobson, Eure, Fagg Fonville, Furr, Gaither, George, Godwin, Gwynn, Harris of Cabarrus Hill of Duplin, Holeman, Johnson, Lander, Leach, Lockhart, Long of Caswell, Long of Randolph, Lowry, Love, Martin, Munday, McNeill, Phillips, Puryear, Reid of Rockingham, Rives, Sanders of Johnson, Scale, Sherrill, Shmpock, Simon, Spruill, Styles, Stubbs, Thornburg, Tolson, Tripp, Turner of Iredell, Turner of Orange, Watters, Walton, Ward, Webb, Whitehurst, Williams of Greene, Wilder and Wood—53

Mr. Caldwell, of Lincoln, moved to amend the 28th section of the bill by striking out "less" and inserting "more."

Which was adopted—Yeas 34, nays 27.

Mr. Caldwell, of Lincoln, moved to amend the section by inserting, "and that the Clerk shall grant a certificate to

any person who shall prove by two witnesses a good moral character."

Which amendment was rejected.

Mr. Caldwell, of Lincoln, moved to strike out the word "give" in the 28th section.

Rejected.

Mr. Caldwell then moved to amend the bill by striking out the 28th section. This amendment was rejected—Yeas 15, nays 62.

Mr. Caldwell demanded the yeas and nays, which were ordered.

Those who voted in the affirmative, are :

Messrs. Bareo, Caldwell, of Lincoln, Daniel, Durham, Furr, Jarvis, Jones, Love, Martih, Matthews, Miller, Munday, McDugald, Tolson, and Watters—15.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Alford, Allen, Black, Calloway, Carmichael, Cook, Dobbin, Dobson, Erwin, Eure, Fonville, Gaither, George, Godwin, Gwynn, Harris of Cabarrus, Hill of Caswell, Hill of Duplin, Holeman, Johnson, Lander, Lockhart, Long, of Caswell, Long, of Randolph, Lowry, Marshall, Mills, McNeill, Pegram, Phelps, Phillips, Puryear, Reid, of Rockingham, Rives, Russell, Sanders, of Johnson, Scales, Sherrill, Shimpock, Simms, Spruill, Styles, Strange, Stubbs, Teague, Thornburg, Tripp, Turner, of Iredell, Turner, of Orange, Walton Ward, Waugh, Webb, Wheeler, Whitehurst, Williams, of Greene, Wiley Wilder and Wood—62.

Mr. Caldwell moved that the charter continue in force only for two years.

Which motion was rejected.

Mr. Caldwell then moved the indefinite postponement of the bill.

Which was lost.

The question then recurring—shall the bill pass? it was carried without a division, and the bill ordered to be engrossed.

Mr. Cook, of Wilkes, presented the following resolution, which was read and laid over, under the rule:

Resolved, That hereafter no person shall be granted leave of absence, without assigning some good reason for the same.

On motion of Mr. Eure, of Gates, the House adjourned till Monday.

MONDAY, NOV. 1st, 1852.

The Speaker announced that the Committee on enrolled bills for the week would consist of Messrs. Strange, Calloway, Johnson, Dunn, and Barce.

Mr. Carmichael, of Wilkes, presented sundry petitions from the citizens of Wilkes, for aid in establishing public roads; which were laid on the table.

A message was received from the Senate, proposing to adopt the report of the Comptroller, as the basis for laying off the Senatorial Districts, with sundry specified alterations.

Which was read and concurred in.

Also, concurring in the proposition of the House to print the report of the Raleigh and Wilmington Railroad.

On motion of Mr. Erwin, of Burke and McDowell,

Resolved, That a message be sent to the Senate, proposing to raise a Joint Select Committee, to be composed of the Senators and Members of the House of Commons, representing the counties of McDowell and Yancey, upon the message of the Governor, relative to the McDowell and Yancey Turnpike, and that said committee be instructed to inquire what further legislation is necessary, and report by bill or otherwise.

Leave of absence was granted to Messrs. Phillips, and Sanders, of Johnson, until Wednesday next.

Mr. Stubbs, of Beaufort, introduced a bill to amend the fourth section of an act passed at the session of 1832-'33, entitled an act compensating jurors of the original panel, in the county of Beaufort; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Webb, of Rutherford, introduced a bill for the better regulation of the militia of North Carolina; which was read the first time, passed and referred to the Committee on revising and abolishing the militia laws.

Mr. Lander, of Lincoln, introduced a bill to amend the 53d section of the 34th chapter of the Revised Statutes; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Erwin, of Burke and McDowell, introduced a bill to prevent imitation of coinage; which was read the first time passed and referred to the Committee on the Judiciary.

Mr. Caldwell, of Lincoln, introduced a bill to abolish the present militia laws of the State, and for other purposes; which was read the first time, passed, and referred to the committee on revising or abolishing the militia laws.

Mr. Avery, chairman, in behalf of the Committee on Internal Improvements, to whom was referred the bill to incorporate the Gulf and Graham Plank Road company, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Avery, in behalf of the same committee, to whom was referred a bill to incorporate the Haywood and Chapel Hill Plank Road company, reported the same back to the House and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Caldwell, of Guilford, chairman of the Committee on Corporations, to whom was referred a bill to incorporate the Haywood and Pittsboro' Plank Road company, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

The following engrossed bills from the Senate were severally read a second time and passed :

A bill to give exclusive jurisdiction to the Superior Courts for the county of Stanly ;

A bill to establish a road in Catawba county ;

A bill to alter the name of the county seat of Stokes county.

The following bills were severally read the third time, passed and ordered to be engrossed:

A bill to incorporate the Fayetteville and Raleigh Plank Road company ;

A bill to incorporate the Concord and Anson Plank Road company.

The Senate bill to incorporate Literary Institutions, and Benevolent and Charitable Societies, was read the third time, passed and ordered to be enrolled.

A message was received from the Senate, concurring in the proposition to print the report of the President and Directors of the Raleigh and Gaston Railroad company ;

Also, informing that Messrs. Richardson, Speight and Brogden form the Senate Committee on Enrolled Bills for the present week.

Mr Carmichael, of Wilkes, moved to reconsider the vote by which the bill to incorporate the town of Lincolnton passed its third reading on Saturday.

The House refused to reconsider—Yeas 30, nays 35.

On motion of Mr. Webb, of Rutherford, the House adjourned.

TUESDAY, Nov. 2dd, 1852.

Mr. Dobbin, of Cumberland, moved to adjourn ; which motion was lost—Yeas 30, nays 34.

Mr. Puryear, chairman of the Committee on Propositions and Grievances, to whom was referred the bill concerning the sale and inspection of lumber and ton timber at Wilmington or other point on Cape Fear River, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Puryear, Chairman, in behalf of same Committee, to whom was referred the bill concerning pilots and pilotage, reported the same back to the House, and recommended rejection.

Whereupon, the bill was read the second time, and on motion of Mr. Wood, of Craven, the memorial accompanying the bill was read, and the bill and memorial were laid on the table.

Mr. Puryear, Chairman, in behalf of same committee, to whom was referred a bill to perfect titles to entries made in Macon county, previous to the 15th of March, 1852, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed

Mr. Wheeler, of Lincoln, moved that the House adjourn ; which motion was lost—Yeas 28, nays 38.

Mr. McNeill, Chairman, in behalf of the Select Committee, to whom was referred the memorial of T. G. Clayton, of Norfolk, Virginia, reported the same back to the House, with the following resolution, which was adopted :

Resolved, That we have not had an opportunity of testing the practicability of said machine, therefore, for this and the further reason of the present financial condition of this Stste, it is not expedient to purchase the same.

Mr. Gwynn, of Surry, introduced "a bill to lay off and establish a new county by the name of Blue Ridge, and to attach a portion of Stokes county, to the county of Surry; which was read the first time, passed, and with sundry memorials, referred to the Committee on Propositions and Grievances.

Mr. Lander, of Lincoln, moved that the House do now adjourn; which motion was lost—Yeas 27, nays 39.

The following bills was severally read the third time, and passed, and ordered to be engrossed:

A bill to incorporate the Gulf and Graham Plank Road Company;

A bill to incorporate the Haywood and Pittsboro Plank Road Company:

On motion of Mr. Eure, of Gates, the House adjourned.

WEDNESDAY, Nov. 3, 1852.

Mr. Carmichael, of Wilkes, presented a memorial from the citizens of Wilkes county, concerning the construction of dams across Roaring River, which was referred to the Committee on Propositions and Grievances.

The following bills were severally read the third time, passed and ordered to be engrossed:

A bill concerning the sale and inspection of lumber and ton timber at Wilmington, or other point on the Cape Fear River;

A bill to perfect titles to entries made in Macon county, previous to the 15th of March, 1852;

A bill to incorporate the Haywood and Chapel Hill Plank Road Company.

The following engrossed bills were severally read the third time, passed and to be enrolled:

A bill to give exclusive jurisdiction to the Superior Courts, for the county of Stanly;

A bill to establish a Road in Catawba county;

A bill to alter the name of the county seat of Stokes county.

On motion of Mr. Webb, of Rutherford,

Resolved, That the Committee on Finance, be instructed to look into the expediency of amending the 8th section of an act, to increase the revenue of the State, passed at the session of 1850-'51, so as to provide that each and every Company of Circus Riders, or Equestrian Performers, and each and every person or Company, who shall exhibit any collection of Animals, commonly known as a Menagerie, for reward, shall, previously to exhibiting or performing in any county in this State, pay to the Sheriff thereof, *one hundred dollars*; and all Ethiopian Serenaders, Comic Singers and Performers on Musical Instruments, who exhibit or perform, for reward, *ten dollars*; and they be authorized to report by bill or otherwise.

Mr. Wynne, of Hyde, introduced "a bill to repeal an act, entitled an act to prevent the obstruction of the passage of

fish at inlets on the sea coast of the State, passed at the session of 1850-'51" which was read the first time and passed.

Mr. Wynne moved that the rule be suspended, and that the bill be put on its second reading; which motion was carried, and the bill was read the second time.

On motion of Mr. Spruill, the bill was referred to a Select Committee of seven.

On motion of Mr. Williams, of Warren, the bill to pay tales jurors was taken from the table, and having been read, was rejected—Yeas 40, nays 42.

Mr. Saunders, of Wake, presented a memorial from the heirs of Capt R. D. Cook, a continental officer; which was read and referred to the Judiciary Committee.

On motion of Mr. Saunders, the bill to amend the Charter of the Raleigh and Gaston Railroad Company was taken from the table, and made the order of the day for Monday next at 12 o'clock.

On motion of Mr. Erwin, of Burke and McDowell, the House adjourned.

THURSDAY, Nov. 4th, 1852.

Mr. Phillips, of Orange, presented a memorial in behalf of the citizens of Alamance; which was referred to the Committee on Internal Improvements.

Mr. Puryear, chairman, in behalf of the Committee on Propositions and Grievances, to whom was referred a bill to amend chapter 104, section 1st, Revised Statutes, entitled an act concerning public roads, ferries and bridges in this State, reported the same back to the House, with a substitute, as an amendment, and recommended its passage.

The amendment of the committee was adopted, and the bill passed its second reading.

Mr. Saunders, of Wake, introduced "a bill to amend the act, entitled an act to incorporate the North Carolina Railroad company," which was read the first time, passed and referred to the Committee on Internal Improvements, and ordered to be printed.

Mr. Doitch, of Wayne, introduced a bill to prohibit the sale of spirituous liquor to free persons of color;" which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Ward, of Jones, introduced a bill to incorporate the North Carolina and Atlantic Railroad company; which was read the first time, passed and referred to the Committee on Internal Improvements.

Mr. Long, of Randolph, moved to reconsider the vote by which the bill to pay tales jurors was rejected yesterday.

Which motion was carried—Yeas 64, nays 33.

Mr. Williams, of Warren, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Albertson, Allen, Amis, Avery, Black, Bryant, Burton, Bynum, of Chatham, Byrd, Caldwell, of Guilford, Carmichael, Chesnut, Cook, Corbett, Dobbin, Dortch, Durham, Erwin, Eure, Fonville, George, Godwin, Hawkins, Herring, Hill, of Caswell, Hill, of Duplin, Jarvis, Johnson, Lander, Lockhart, Long, of Randolph, Love, Lyon, Marshall, Matthews, Munday, McDugald, McNeill, Pegram, Perry, Phillips, Reid, of Rockingham, Rives, Sanders, of Johnson, Saunders, of Wake, Scales, Sherrill, Spruill, Styles, Teague, Turner, of Iredell, Turner, of Orange, Walton, Ward, Waugh, Webb, Wheeler, Whitehurst, Williams, of Greene, Williams, of Warren, Wiley, Wilder, Wood and Wynne—64.

Those who voted in the negative are:

Messrs. Adams, Alford, Barco, Barrett, Caldwell, of Lincoln, Callo-way, Cotton, Daniel, Dargan, Dobson, Dunn, Fagg, Furr, Gaither, Gwynn, Harris, of Cabarrus, Holeman, Jones, Lowry, Martin, Miller, Mills, Phelps, Puryear, Russell, Shimpock, Simons, Stubbs, Thornburgh, Tolson, Trexler, Tripp, and Watters—33.

So the vote was reconsidered.

When, on motion of Mr. Saunders, the bill was recommit-
ted to the Committee on the Judiciary.

Mr. Long, of Randolph, introduced a bill to incorporate Science Hill Male and Female Academy, which was read the first time, passed and referred to the Committee on Corporations.

Mr. Bynum, of Chatham, introduced a bill for the collection and management of the revenue of this State; which was read the first time, passed and referred to the Committee on Finance.

Mr. Phillips, of Orange, introduced a bill to protect the rights of persons owning personal property in common; which was read the first time, passed and referred to the Committee on the Judiciary.

The Speaker announced the special committee on the bill introduced by Mr. Wynne, yesterday, to consist of Messrs. Wynne, Spruill, Jarvis, D. F. Caldwell, Phelps, Miller and Ward.

Mr. Jones, of Tyrrel, introduced a bill for the protection of boats, canoes, coasting and sea vessels; which was read the first time, passed and laid on the table.

On motion of Mr. Long, of Randolph, the House adjourned.

FRIDAY, Nov. 5th, 1852.

Mr. Dobbin, of Cumberland, presented a memorial in regard to obstructions in the Cape Fear and Deep River Navigation company; which was referred to the Committee on Internal Improvements.

Mr. Lander, of Lincoln, presented a memorial from citizens of Gaston county, praying that no portion of that county be attached to Lincoln; which was referred to the Committee on Propositions and Grievances.

Mr. Saunders, of Wake, introduced a bill concerning Superior and County Courts; which was read the first time, passed and referred.

Mr. Saunders, of Wake, chairman, in behalf of the Judiciary Committee, to whom was referred a bill concerning Superior and County Courts, reported the same back to the House, with amendments, and asked the concurrence of the House in the same.

On motion, it was ordered that the bill, as amended, be printed, and made the special order of the day for Tuesday next, at 12 o'clock.

A bill to amend chapter 104, section 1st, &c. Revised Statutes, entitled an act concerning the Public roads, ferries, and bridges in this State, was read the third time, passed and ordered to be engrossed.

Mr. Johnson, of Guilford, introduced "a bill to incorporate the Greensboro' and Deep River Plank Road company," which was read the first time, passed and referred to the Committee on Internal Improvements.

Mr. Webb, of Rutherford, introduced the following resolution :

Resolved, That the order of this House, requiring the Doorkeeper to furnish ice for the use of the members, be and the same is hereby rescinded.

Mr. Avery moved to lay the resolution on the table.

On this motion, Mr. Webb demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Allen, Alford, Avery, Barco, Barrett, Black, Blow, Bryant, Burton, Bynum of Northampton, Byrd, Caldwell, of Lincoln, Calloway, Chesnut, Corbett, Dargan, Dobbin, Dobson, Dortch, Dunn, Durham, Erwin, Fagg, George, Harris, of Cabarrus, Hawkins, Her-ring, Hill of Caswell, Hill, of Duplin, Jarvis, Lockhart, Lowry, Love

Marshall, Mills, Mooring, Phelps, Russell, Sauls, Smith, Styles, Turner of Orange, Waiters, Walton, Williams of Warren, Wiley and Wilder—47.

Those who voted in the negative, are :

Messrs. Albertson, Amis, Bynum of Chatham, Caldwell, of Guilford, Carmichael, Cook, Daniel, Dobson, Eure, Fonville, Furr, Gaither, Godwin, Gwynn, Harris, of Davidson, Holeman, Johnson, Lander, Long, of Caswell, Long, of Randolph, Lyon, Martin, Matthews, Miller, Munday, McDougall, McIntyre, McNeill, Pegram, Perry, Phillips, Puryear, Reid, of Rockingham, Sanders, of Johnson, Scales, Sherrill, Shimpock, Simons, Spruill, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Turner, of Iredell Ward, Waugh, Webb, Wheeler, Whitehurst, Williams, of Green, Wood and Wynne—54.

Mr. Dargan, of Anson, moved to take from the table the bill of Mr. Leach, of Davidson, providing for calling of a convention.

Which motion was not carried—Yeas 46, nays 58.

Mr. Marshall, of Forsyth, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Adams, Alford, Amis, Bynum of Chatham, Byrd, Caldwell, of Guilford, Caldwell of Lincoln, Calloway, Cook, Cotten, Dargan, Erwin, Fagg, Furr, Gaither, Godwin, Gwynn, Harris, of Cabarrus, Harris, of Davidson, Hawkins, Johnson, Long, of Randolph, Lowry, Love, Matthews, Miller, Mills, McIntyre, Perry, Phillips, Puryear, Shimpock, Simons, Smith Styles, Teague, Thornburg, Trexler, Tripp, Turner, of Iredell, Turner, of Orange, Webb, Whitehurst, Williams of Green, Wiley, and Wynne.—46.

Those who vote in the negative, are :

Messrs. Albertson, Allen, Avery, Barco, Barrett, Black, Blow, Bryant, Burton, Bynum of Northampton, Carmichael, Chesnut, Collins, Corbett, Dame', Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Eure, Fonville, George, Herring, Hill, of Caswell, Hill of Duplin, Holeman, Jarvis, Lander, Long, of Caswell, Lyon, Martin, Marshall, Mooring, Munday, McDougall, McNeill, Pegram, Phelps, Reid, of Rockingham, Rives, Russell, Sanders, of Johnson, Sanders of Wake, Sauls, Scales, Sherrill, Spruill, Stubbs, Tolson, Waiters, Ward, Waugh, Wheeler, Williams, of Warren, Wilder and Wood—58.

Mr. Wheeler, of Lincoln, introduced "a bill to authorize J. Cline, Sherriff of Catawba county, to collect arrears of taxes;" which was read the first time, passed and referred to the Committee on Private Bills.

Mr. Burton, of Cleaveland, charman of the select committee to whom was referred a bill to repeal 7th section, of the 82nd chapter, of Revised Statutes," reported the same back to the House, and recommended that it do not pass.

Whereupon, the bill was read the second time and rejected.

Mr. Marshall, of Stokes, introduced the following resolution,

Which was read and rejected:

WHEREAS, the growth and culture of the grape, as well as the making of wine, in the State of North Carolina, is now in its infancy;

And whereas, the soil and climate of this State, is congenial to the growth and culture of the grape;

And whereas, any tax upon the selling or retailing of wine made in North Carolina is calculated to act injuriously upon the growth and culture of the vine in this State;

Therefore, be it,

Resolved, That the Committee on Finance be so instructed to amend the revenue laws of this State, as to exempt from taxation, the selling or retailing of wine the growth and manufacture of North Carolina.

Mr. Hill, of Daplin, introduced "a bill to make wilful trespass on land, by cutting timber trees, and unlawful

hunting indictable;" which was read the first time, passed and referred to the Committee on the Judiciary.

A message was received from the Senate, agreeing to raise a joint Select Committee, to be composed of the Senators and Representatives of the counties of McDowell and Yancey, on the message of the Governor relating to the McDowell and Yancy Turnpike Company.

A message was received from the Senate, proposing to raise a Joint Select Committee of four from the Senate, and six from the House, to take into consideration the Western Turnpike Company, and the lands pledged for its construction, and that the said Committee report by bill or otherwise.

Which proposition was concurred in.

On motion of Mr. Martin, of Franklin, the House adjourned.

SATURDAY, NOV. 6th, 1852.

Mr. Dortch, of Wayne, in behalf of the Committee on the Judiciary, to whom was referred a bill to prohibit the sale of spirituous liquors to free persons of color, reported the same back to the House, and recommended that it do not pass.

Whereupon the bill was read the second time and pass-

Mr. Phillips, of Orange, in behalf of same committee, to whom was referred a bill in relation to the collection of partnership and other debts, reported the same back to the House, and recommended that it do pass.

Whereupon, the bill was read the second time and passed.

Mr. Phillips, of Orange, in behalf of same committee, to whom was referred a bill to do away with collateral warrentees, reported the same back to the House, and recommended that it do pass.

Whereupon, the bill was read the second time and passed.

Mr. Dargan, of Anson, in behalf of the same committee, to whom was referred a bill to amend the 53rd section of the 34th chapter of the Revised Statutes, reported the same back to the House, and recommended that it do pass.

Whereupon, the bill was read the second time and passed.

Mr. Stubbs, of Beaufort, in behalf of same committee, to whom was referred a bill to amend the 4th section of an act passed at the session of 1832-'33, entitled an act compensating jurors of the original panel for the county of Beaufort, reported the same back to the House, and recommended that it do pass.

Whereupon, the bill was read the second time and passed.

Mr. Saunders, of Wake, Chairman, in behalf of same committee, to whom was referred a resolution concerning the removal of free negroes from the State, reported the same back to the House, with a recommendation that the resolu.

tion be laid on the table, and asking that the committee be discharged from its further consideration.

Which was concurred in.

Mr. Saunders, of Wake, Chairman, in behalf of same committee, to whom was referred the memorial of Ephraim Lutz and wife, of Chatham, reported the same back to the House, and recommended that it be laid on the table.

Which proposition was concurred in.

Mr. Dobbin, of Cumberland, in behalf of same committee, to whom was recommitted a bill to pay tales jurors, reported the same back to the House, and recommended that it do pass.

Whereupon, the bill was read the second time, and passed.

Mr. Avery, of Burke, in behalf of same committee, to whom was referred a bill to protect live stock from malicious destruction, reported the same back to the House with amendments, and recommended that the bill as amended do pass.

The question being taken the 1st amendment of the committee was adopted.

Mr Saunders, of Wake, moved to strike out "she" in the second amendment of the Committee.

Carried.

Mr. Avery moved to amend, by adding Caldwell to the counties named in the amendment.

Which motion was carried.

Mr. Webb, of Rutherford, moved to lay the bill and amendments on the table.

Which motion prevailed.

Mr. Harris, of Cabarrus, Chairman, in behalf of the Committee on Constitutional Reform, to whom was referred a bill to amend the Constitution of North Carolina, reported the same back to the House, and recommended that it do not pass.

Whereupon, the bill was read the second time, and, on motion of Mr. Williams, of Warren, laid on the table.

Mr. McDugald, of Bladen, introduced "a bill to incorporate the town of Elizabeth town, in the county of Bladen;" which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Avery, of Burke, Chairman, in behalf of the Committee on Internal Improvements, to whom was referred a bill to incorporate the Greensboro' and Deep River Plank Road Company, reported the same back to the House, and recommended that it do pass.

Whereupon, the bill was read the second time and passed.

Mr. Fagg, of Buncombe, introduced "a bill to establish a public road in the county of Madison;" which was read the first time, passed, and referred to the Committee on Internal Improvement.

Mr. Phillips, of Orange, introduced the following resolution, which was adopted :

Resolved, That the Committee on the Judiciary be instructed to investigate the law regulating the solemnization

of marriage in North Carolina, and report whether it be not expedient to amend the same.

Mr. McNeill, of Robeson, introduced a bill to incorporate the Lumberson and Cape Fear Plank Road Company ; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Gwynn, of Surry, introduced a bill to incorporate the town of Jonesville, in the county of Yadkin ; which was read the first time, passed and referred to the Committee on Corporations.

Mr. McIntyre, of Richmond, introduced a bill to amend the Constitution of the State of North Carolina ; which was read the first time, passed and referred to the Committee on the Judiciary.

✓ Mr. Wheeler, of Lincoln, introduced a bill to establish the North Carolina Military Institute ; which was read the first time, passed and referred to the Committee on Education.

Mr. Martin, of Franklin, introduced a bill to amend the first section of the 20th chapter of the Revised Statutes ; so as to give the election of clerks and masters in Equity, to the people ; which was read the first time, passed and referred to a Select Committee of five.

The Speaker announced the committee to consist of Messrs. Martin, Lyon, Bynum, of Chatham, Phillips and Pegram.

Mr. Durham, of Orange, introduced a bill to incorporate the Trustees of the Hillsboro Academy ; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Matthews, of Forsythe, introduced a bill to prohibit any corporate body from laying a tax on articles, the growth and manufacture of this State; which was read the first time, passed and referred to the Committee on the Judiciary.

The pension certificates of William Lossler, Thos. Ewell, and Theophilus Gardner, were severally read and countersigned by the Speaker.

A message was received from the Senate, transmitting the following engrossed bills; which were severally read the first time and passed:

A bill to authorise the Court of Pleas and Quarter Sessions, of Perquimons county, to sell a portion of its public Square;

A bill to pay tales jurors in Rockingham and Guilford counties;

A bill to confirm the establishment of the county of Yadkin.

A message was received from the Senate, transmitting the following engrossed bills from the House, with amendments, and asking the concurrence of the House in the same:

The proposed amendments were concurred in:

A bill to provide for paying tales jurors, in the county of Halifax;

A bill to pay tales jurors, in the county of Columbus the same compensation as is now paid to jurors of the regular panel.

On motion of Mr. Sutton, of Lenoir, the House adjourned.

MONDAY, NOV. 8th, 1852.

The Speaker announced the following committees :

On Enrolled Bills for the Present Week—Messrs. Erwin, W. Harris, of Davidson, Mooring, Rives and Lowry.

On Western Turnpike Road.—Messrs. Blow, Smith, Sanders, Fagg, Munday and Styles.

The House proceeded to take up the special order of the day : it being the proposition of the Senate to adjourn *sine die* on the first Monday in December.

Mr. Mooring, of Martin, moved the indefinite postponement, and Mr. Spruill, of Bertie, demanded the yeas and nays, which were ordered.

Those who voted in the affirmative, are :

Messrs. Amis, Avery, Colton, Dobbin, Durham, Erwin, Fagg, George, Hill of Caswell, Hill of Duplin, Long of Caswell, Lyon, Marshall, Mooring, McNeill, Norfleet, Perry, Phillips, Trexler, and Turner of Orange—20.

Those who voted in the negative, are :

Messrs. Alford, Allen, Albertson, Barco, Barrett, Black, Bryant, Burton, Bynum, of Northampton, Byrd, Caldwell, of Guilford, Caldwell, of Lincoln, Calloway, Carmichael, Cherry, Chesnut, Cook, Corbett, Daniel, Dunn, Dargan, Dobson, Dortch, Eure, Fonville, Furr, Gaither, Godwin, Gwynn, Harris of Cabarrus, Harris, of Davidson, Hawkins, Herring, Holeman, Jarvis, Johnson, Jones, Lander, Lockhart, Long of Randolph, Lowry, Martin, Matthews, Miller, Mills, Munday, McDugald, McIntyre, Pegram, Phelps, Puryear, Rives, Russell, Sanders of Johnson, Sauls, Scales, Sherrill, Shimpock, Simons, Smith, Spruill, Styles, Strange, Sutton, Teague, Thornburg, Tolson, Turner, of Iredell, Watters, Walton, Waugh, Webb, Wheeler, Whitehurst, Williams of Greene, Williams of Warren, Wiley, Adams and Ellis,—80.

So the House refused to postpone indefinitely.

Mr. Dortch, of Wayne, moved to postpone the further consideration of the question till the first Monday in December next, and demanded the yeas and nays.

This motion was lost—Yeas 48, nays 56.

Those who voted in the affirmative are :

Messrs. Allen, Avery, Bryant, Burton, Chesnut, Christmas, Corbet, Dobbin, Dortch, Durham, Ellis, Erwin, Fagg, Foreman, George, Harris of Davidson, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Long of Caswell, Lowry, Lyon, Martin, Marshall, Mills, Mooring, McNeill, Norfleet, Phelps, Perry, Phillips, Reid of Rockingham, Sauls, Scales, Sherrill, Styles, Strange, Stubbs, Teague, Trexler, Turner of Orange, Wheeler, and Williams of Warren—48.

Those who voted in the negative are :

Messrs. Adams, Albertson, Alford, Amis, Barrett, Black, Bynum of Northampton, Caldwell of Guilford, Caldwell of Lincoln, Calloway, Carmichael, Cherry, Cook, Cotton, Daniel, Dargan, Dobson, Dunn, Eure, Fonville, Furr, Gaither, Godwin, Gwynn, Harris of Cabarrus, Holeman, Johnson, Jones, Lockhart, Love, Matthews, Miller, Munday, McDugald, McIntyre, Pegram, Puryear, Russell, Sanders of Johnson, Shimpock, Simons, Smith, Spruill, Sutton, Thornburg, Tolson, Turner, of Iredell, Ward, Watters, Walton, Waugh, Webb, Whitehurst, Williams of Greene, and Wiley—56.

On motion, the proposition of the Senate was laid on the table.

Mr. Williams, of Warren, moved to take from the table the bill to amend the Constitution of North Carolina, and the report of the majority of the committee thereon.

Which motion having prevailed, he submitted the report of the minority of the committee.

On motion of Mr. Wheeler, of Lincoln, it was ordered that the bill and reports of the Committee be printed, and that they be made the special order of the day for Monday next, at 12 o'clock.

Mr. Cherry, of Bertie, Chairman, on behalf of the Committee on Education, to whom was referred a bill to provide for the appointment of a Superintendent of Common Schools, and for other purposes, reported the same back to the House, with amendments, and recommended its passage.

Whereupon, the bill and amendments were read, and, on motion of Mr. Cherry, were laid on the table, and made the special order of the day for Wednesday next, at 12 o'clock.

Mr. Cotton, of Chatham, moved that leave of absence be granted to Mr. Webster, Assistant Doorkeeper, for two days, from and after to-day.

Which was granted.

A message was received from the Senate, informing the House that the Senate branch of the Committee on Enrolled Bills for the week consists of Messrs. McMillan, Albright and Kerr.

Mr. Puryear, Chairman, in behalf of the Committee on Propositions and Grievances, to whom was referred the bill

to alter the line between the counties of Lincoln and Gaston reported the same back to the House, and recommended that it do not pass.

Whereupon, the bill was read the second time.

Mr. Caldwell, of Lincoln, asked for the reading of the memorials which accompanied the bill, which was granted, and the memorials were read.

Mr. Burton, of Cleaveland, moved to lay on the table ; which motion was laid on the table.

Mr. Wheeler, of Lincoln, moved a substitute as an amendment to the bill.

Mr McIntyre moved to amend the substitute, by the following proviso :

“ Provided, That in settling the said line, the population of Gaston county be not reduced below the ratio for a member of the House of Commons ;” which proviso was adopted.

Mr. Lander, of Lincoln, moved to add the names of Messrs. B. F. Briggs, of Gaston, or Dr. Thomas Williams, of Cleaveland, to the commission.

Carried.

Mr. Burton moved to amend, so as to alter the boundary line between the counties of Lincoln, Gaston and Cleaveland.

Which motion prevailed.

The substitute to this amendment was adopted, and the question recurring, shall the bill pass ?

It passed its second reading.

Mr. Erwin, of Burke, presented a memorial of sundry citizens of Henderson, praying an appropriation to build a public road in said county; which was referred to the Committee on Propositions and Grievances.

A message was received from the Senate, informing the House that Messrs. Thomas, Washington, Bower and Thompson form the Senate branch of the Committee on the Western Turnpike.

Also, informing the House that the Senate had rejected the bill to amend the second section of the 39th chapter, Revised Statutes, entitled Divorce and Alimony.

Mr. Chesnutt, of Sampson, introduced "a bill for the better regulation of the town of Clinton, in the county of Sampson;" which was read the first time, passed, and referred to the Committee on Corporations.

The hour of 12 having arrived, the House proceeded to take up the bill to amend an act, entitled an act to incorporate the Raleigh and Gaston Railroad Company—

The question pending being the recommendation of the committee to strike out the 18th section of the bill.

Mr Avery moved an amendment to the 18th section, which was ruled out of order by the Speaker, as no amendment to the section could be entertained, while the question to strike out was pending,

Mr. Avery appealed from the decision of the Chair.

The question was, shall the chair be sustained?

The decision of the Speaker was sustained—Yeas 45, nays 39.

The 18th section was stricken out, and Mr. Avery moved to amend the bill, by inserting a section.

Pending which,

On motion of Mr. Phillips, of Orange, the House adjourned.

TUESDAY, Nov. 9th, 1852.

The House resumed the consideration of the Raleigh and Gaston Railroad bill, the question pending, being the amendment proposed by Mr. Avery, of Burke.

The hour of 12 having arrived, the House proceeded to take up the regular order of the day for that hour, when

Mr. Hill, of Caswell, moved that the regular order, being the bill to alter and amend the judiciary system of the State, be postponed until Monday next, and made the special order for that day at 12 o'clock; which was agreed to, and the House continued the consideration of the amendment of Mr. Avery.

Mr. Burton, of Cleaveland, moved an adjournment, which motion was lost.

Mr. Webb, of Rutherford, moved to postpone the further consideration of the subject until Thursday 12 o'clock.

Which was disagreed to.

Mr. Hill, of Duplin, offered the following amendment :

“ *Provided*, That no land be condemned until after the road is completed from Goldsboro' to Raleigh.”

Which amendment was lost.

And the question recurring, shall the original amendment be adopted ?

It was decided in the affirmative.

Mr. Smith, of Halifax, moved to amend the bill, by giving to the Company authority to form a connexion from the town of Weldon, with the navigable waters of the Roanoke River.

Mr. Strange, of New Hanover, moved an adjournment, upon which motion,

Mr. Saunders, of Wake, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Avery, Caldwell, of Lincoln, Carmichael, Chesnut, Cook, Corbett, Dobbin, Dobson, Dortch, Erwin, Fagg, Fonville, Foreman, George, Hill of Caswell, Hill, of Duplin, Jarvis, Love, Norfleet, Pegram, Perry, Scales, Spruill, Styles, Strange, Stubbs, Tripp and Whitehurst—29.

Those who voted in the negative, are :

Messrs. Albertson, Adams, Alford, Allen, Amis, Barco, Black, Bryant, Burton, Bynum of Northampton, Byrd, Caldwell, of Guilford, Callo-way, Cherry, Christmas, Cotten, Daniel, Dargan, Dunn, Durham, Ellis,

Eure, Furr, Gaither, Godwin, Gwynn, Harris, of Cabarrus, Harris, of Davidson, Hawkins, Herring, Holeman, Johnson, Jones, Long, of Caswell, Long, of Randolph, Lowry, Love, Martin, Marshall, Mathews, Miller, Mills, Mooring, Munday, McDugald, McIntyre, McNeill, Perkins, Phelps, Phillips, Puryear, Reid, of Rockingham, Rives, Sanders, of Johnson, Saunders, of Wake, Sauls, Sherrill, Shimpock, Simons, Smith, Teague, Thornburg, Tolson, Trexler, Turner, of Iredell, Turner of Orange, Watters, Walton, Waugh, Webb, Wheeler, Williams, of Greens, Wilder, Wiley, Wood and Wynne—76.

So the House refused to adjourn. The question being taken on the amendment offered by Mr. Smith, it was adopted.

Mr. Hill, of Caswell, moved "that in the 3rd section, the words "three directors" be stricken out, and "four directors" inserted.

Pending a debate upon which, on motion, the House adjourned.

WEDNESDAY, Nov. 10th, 1852.

The Speaker announced that the first business in order was the amendment to the Raleigh and Gaston Railroad bill introduced by Mr. Hill, of Caswell.

On motion of Mr. Love, of Haywood, the bill was laid on table.

And the engrossed bill from the Senate, extending the time of making election returns, was taken up, read the first second and 3d times, and passed, and ordered to be enrolled.

The consideration of the amendment was then resumed and the question being taken upon it, 'twas decided in the negative—Yeas 47, nays 64.

Mr. Williams, of Warren, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs Allen, Avery, Barrett, Black, Bryant, Bynum of Northampton, Byrd, Chesnut, Chris mas, Cotton, Corbett, Dobbin, Dobson, Dunn, Durham, Ellis, Fonville, Foreman, George, Godwin, Herring, Hill, of Caswell, Hill, of Duplin, Jarvis, Lander, Long, of Caswell, Lyon, Marshall, Mooring, McNeill, Norfleet, Pegram, Reid, of Rockingham, Russell, Sanders, of Johnson, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Ward, Waugh, Wheeler, Williams, of Warren, Wilder, and Wood—47.

Those who voted in the negative are:

Messrs. Albertson, Alford, Amis, Barco, Brooks, Burton, Bynum, of Chatham, Caldwell, of Guilford, Callwell, of Lincoln, Calloway, Carmichael, Cherry, Collins, Cook, Daniel, Dargen, Dunn, Erwin, Eure, Fagg, Furr, Guther, Gwenn, Harris, of Cabarrus, Harris of Davidson, Hawkins, Holman, Johnson, Jones, Long, of Randolph, Lowry, Love, Martin, Matthews, Miller, Mills, Munday, McDugald, McIntyre, Perry, Perkins, Phelps, Phillips, Puryear, Shumpock, Simmons, Smith, Sprink, Styles, Stubbs, Teague, Thornburgh, Tolson, Trexler, Tapp, Turner, of Irrell, Turner, of Orange, Waters, Webb, Whitehurst, Williams, of Greene, Wiley, and Wynne—64.

The hour of 12 having arrived, the special order of the day, the bill to appoint a superintendent of Common Schools and for other purposes, was taken up, and, on motion of Mr. Cherry, was laid on the table, and the House resumed the consideration of the Raleigh and Gaston Railroad bill.

Mr. Fagg, of Buncombe, offered the following amendment after the word "company," in section 3rd, line 3rd: strike out the words, "to be annually adopted by the Board of Internal Improvements" and insert "to be annually chosen by the qualified voters for members of the House of Commons, under such rules and regulations, and at such times as may be by law directed."

Which amendment was rejected—Yeas 14, nays 69.

Mr. Fagg demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Alford, Daniel, Eure, Fagg, Godwin, Miller, McDugald, Sanders of Johnson, Spruill, Styles, Tripp, Watters, Whitehurst, and Williams of Greene,—14.

Those who voted in the negative are :

Messrs. Adams, Albertson, Allen, Amis, Avery, Barco, Barrett, Black, Bryant, Burton, Bynum, of Chatham, Bynum of Northampton, Byrd, Caldwell of Guilford, Caldwell of Lincoln, Calloway, Carmichael, Cherry, Chesnut, Christmas, Collins, Cook, Corbett, Dargan, Dubbin, Dobson, Dutch, Dunn, Durham, Ellis, Erwin, Fonville, Foreman, Gaither, George, Gwynn, Harris of Cabarrus, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Huleman, Johnson, Jones, Lander, Long of Caswell, Long of Randolph, Lowry, Lyon, Martin, Marshal, Mathews, Mills, Mooring, Munday, McIntyre, McNeill, Norfleet, Pegram, Perry, Perkins, Phelps, Phillips, Puryear, Reid of Rockingham, Rives, Russell, Saunders of Wake, Sans, Scales, Sherrill, Shimpock, Simons, Smith, Strange, Sutton, Teague, Thornburg, Tolson, Trexler, Turner of Iredell, Turner of Orange, Walton, Waugh, Webb, Wheeler, Williams, of Warren, Wiley, Wilder, Wood and Wynne—91.

The question then recurring—shall the bill pass?

It was decided in the affirmative.

Mr. Phillips, of Orange, presented to the House a communication from the commission to revise the Statutes.

Which was, on motion, transmitted to the Senate with a proposition to print.

Mr. Saunders, of Wake, introduced the following resolution,

Which was read and adopted.

Resolved, That the Committee on the Judiciary be instructed to inquire whether full returns have been made

the Sheriffs, in the election of electors, and if not, what has been the cause, and report what steps are necessary to be taken thereon.

On motion of Mr. Saunders, of Wake, the "bill to incorporate the Atlantic, and North Carolina Railroad company," with the amendments proposed by the Committee of Internal Improvements be laid on the table and printed.

Moved that the House adjourn.

Mr. Spruill, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Amis, Avery, Barrett, Black, Brooks, Burton, Caldwell of Guilford, Cherry, Christmas, Collins, Corbett, Dargan, Dobbin, Dortch, Ellis, Erwin, Eure, Fagg, Fonville, Foreman, George, Harris of Camarrus, Hawkins, Hill, of Caswell, Hill of Duplin, Jarvis, Johnson, Jones, Lander, Long, of Randolph, Mooring, Munday, Norfleet, Perry, Perkins, Saunders of Wake, Sauls, Sherrill, Shimpock, Styles, Strange, Teague, Tripp, Turner, of Orange, Wheeler, Whitehurst, Wilder and Wynne—49.

Those who voted in the negative are :

Messrs. Albertson, Alford, Barco, Bryant, Bynum, of Chatlam, Bynum of Northampton, Byrd, Caldwell of Lincoln, Calloway, Carmichael, Chesnut, Cook, Daniel, Dobson, Dunn, Durham, Furr, Gaither, Godwin, Gwynn, Harris of Davidson, Herring, Holeman, Long of Caswell, Love, Lyon, Martin, Marshall, Matthews, Miller, Mills, McDowell, McIntyre, McNeill, Pegram, Phelps, Phillips, Puryear, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Scales, Simons, Smith, Spruill, Stubbs, Sutton, Thornburg, Tolson, Trexler, Turner of Fredell, Watters, Walton, Ward, Waugh, Webb, Williams of Green, Williams of Warren, Wiley, and Wood—63.

So the House refused to adjourn.

Mr. Avery, of Burke, moved that the House do now adjourn.

Mr. Phillips, of Orange demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Amis, Avery, Barco, Black, Brooks, Caldwell of Guilford, Caldwell, of Lincoln, Calloway, Carmichael, Collins, Cook, Corbett, Dortch, Dunn, Durham, Ellis, Erwin, George, Harris of Caharrus, Harris of Davidson, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Johnson, Lander, Long, of Randolph, Lowry, Love, Lyon, Marshall, Mooring, Munday, Norfleet, Perry, Perkins, Sauls, Sherrill, Styles, Strange, Stubbs, Teague, Tripp, Webb, Wheeler, Wilder, Dargam and Dobbin—49.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Alford, Bryant, Bynum of Chatham, Bynum of Northampton, Byrd, Cherry, Chesnutt, Christmas, Daniel, Dobson, Eure, Fagg, Fonville, Foreman, Furr, Gaither, Godwin, Gwynn, Herring, Holeman, Long, of Caswell, Martin, Matthews, Miller, Mills, McDugald, McIntyre, McNeill, Pegram, Phelps, Phillips, Puryear, Reid, of Rockingham, Rives, Russell, Sanders, of Johnson, Scales, Shimpock, Simons, Smith, Spruill, Sutton, Thornburg, Tolson, Trexler, Turner of Iredell, Watters, Walton, Ward, Waugh, Whitehurst, Wilhams, of Greene, Williams of Warren and Wood—56.

So the House refused to adjourn.

Mr. Phillips, of Orange, moved that the House take a recess, until half-past three o'clock.

And, on this motion, the yeas and nays were demanded by Mr. Bynum, of Northampton.

Those who voted in the affirmative are :

Messrs. Adams, Alford, Bryant, Bynum of Northampton, Byrd, Chesnutt, Daniel, Dunn, Durham, Furr, Gaither, Gwynn, Herring, Long, of Caswell, Lyon, Martin, Miller, Mills, McDugald, McIntyre, McNeill, Phelps, Phillips, Puryear, Reid, of Rockingham, Rives, Sanders, of Johnson, Scales, Shimpock, Simons, Smith, Spruill, Tolson, Trexler, Turner, of Iredell, Watters, Walton, Waugh, and Whitehurst—39.

Those who vote in the negative, are :

Messrs. Albertson, Allen, Amis, Avery, Barco, Barrett, Brooks, Bynum of Chatham, Caldwell, of Guilford, Caldwell of Lincoln, Calloway, Carmichael, Cherry, Cook, Corbett, Dargan Dobbin, Dobson, Dortch, Erwin, Eure, Fagg, Fonville, Foreman, George, Godwin, Harris, of Cabarrus, Harris, of Davidson, Hill of Duplin, Holeman, Jarvis, Johnson, Jones, Lander, Long, of Randolph, Lowry, Love, Marshall, Mooring, Munday, Norfleet, Pegram, Perry, Perkins, Russek, Sauls, Sherrill, Styles, Strange, Stubbs, Sutton, Teague, Thornburgh, Tripp, Ward, Webb, Wheeler, Williams of Green, Williams, of Warren, Wilder and Wood—62.

So the House refused to take a recess.

Mr. Caldwell moved that the House adjourn.

Mr. Williams, of Warren, demanded the yeas and nays.

The question being taken, it was decided in the affirmative,

And the House adjourned.

THURSDAY, NOV. 11th, 1852.

Mr. Carmichael, of Wilkes, presented a memorial from sundry citizens of Ashe and Watauga counties, praying the enactment of a law for the relief of Larkin Rey ; which was referred to the committee on private bills.

Also, a memorial from sundry citizens of Wilkes county, praying that persons in this State be allowed to sell any articles of produce of their own manufacture, in any quantity, without taxation ; which was referred to the Committee on Propositions and Grievances.

Mr. Watters, of Brunswick, presented a memorial from John Smith, and others, praying that ten acres of tide swamp lands be set apart for his use, for the purpose of propagating oysters; which was referred to the Committee on Private Bills.

Mr. Saunders, of Wake, presented a petition of W. G. Hamilton, praying to be divorced from his wife; which was referred to the Committee on the Judiciary.

Mr. Saunders, of Wake, introduced the following resolution, which was read and adopted:

Resolved, That the Judiciary Committee inquire whether the act of last session, entitled "an act to vest in the President and Directors of the Literary Fund, all the property that shall hereafter escheat to the State," requires any amendment, and whether it be expedient to authorise the said President and Directors to enter into any arrangement with the Trustees of the University, in regard to the subject matter embraced in said act?

Mr. Puryear, Chairman, in behalf of the Committee on Propositions and Grievances, to whom was referred a petition from the citizens of Wilkes, for a repeal of an act forbidding the erection of dams across Roaring River, in that county, reported the same back to the House, with the information that they found no such law on the statute book, as the one sought to be repealed, and that, therefore, no further Legislation on the subject was necessary.

Which report was concurred in.

Mr. Puryear, Chairman, in behalf of same committee, to whom was referred a bill to lay off and establish a new county by the name of Blue Ridge, and to attach a part of Stokes county to the county of Surry, reported the same back to the House, and recommended that it do pass.

Mr. Cook, of Wilkes, moved to strike out in the first section, "thence up the Yadkin River, to the mouth of Roaring River to the Middle Fork, thence along the top of the leading ridge, which divides the waters of the Upper Fork of Roaring River from those of the Middle Fork, known as Carter's Mountain, to the Ashe county line, being to the top of the leading ridge that divides the waters of New River, from those of the Yadkin River to the Virginia Line."

Which amendment was adopted.

Mr. Caldwell moved to reconsider the vote by which the amendment of Mr. Cook was adopted.

Pending which motion,

Mr. Cherry, of Bertie, moved that the whole subject be laid over, and made the order of the day, for Wednesday next, two weeks.

Which was carried.

Mr. Cherry, Chairman, in behalf of the Committee on Education, to whom was referred a bill to amend the 9th section of an act concerning Common Schools, passed in 1844, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Dortch, of Wayne, in behalf of the Committee on the Judiciary, to whom was referred "a bill to confirm a grant to B. H. Stanmire," reported the same back to the House, and recommended that it do pass.

Mr. Styles, of Cherokee, moved that the bill be indefinitely postponed.

Which motion was lost.

Mr. Styles then moved the following amendment as an additional section to the bill.

Be it further enacted, That the Treasurer of the State, be, and he is hereby authorized and instructed to refund to Capt. John A. Powell and David Taylor, the sum paid by them for the Cherokee lands contemplated in the bill.

Which amendment was rejected—Yeas, 25, nays 43.

The question then recurring—shall the bill pass? it was decided in the affirmative.

On motion of Mr. Dortch, of Wayne, the rules were suspended, and the bill was read the third time, passed, and ordered to be engrossed.

Mr. Wynne, of Hyde, Chairman, in behalf of the Select Committee, to whom was referred the bill to repeal “an act to prevent the obstruction of the passage of fish at inlets on the sea coast of the State,” passed at the session of 1850-'51, reported the same back to the House, and recommended its passage.

Mr. Collins, of Chowan, moved that the bill be indefinitely postponed.

Mr. Spruill, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Barco, Bynum of Northampton, Cherry, Collins, Daniel, Eure, Foreman, Jones, Mooring, Phelps, Smith, Spruill, Watters and Wilder—14.

Those who voted in the negative are :

Messrs. Adams, Albertson, Aford Allen, Amis, Avery, Barrett, Black, Brooks, Bryant, Burton, Bynum of Chatham, Byrd, Caldwell of Guilford, Caldwell of Lincoln, Calloway, Chesnut, Christmas, Cook, Corbett, Dargan, Dobbin, Dobson, Dunn, Durham, Ellis, Erwin, Fonville, Furr, Gaither, George, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Johnson, Lander, Long of Caswell, Long of Randolph, Lowry, Love, Lyon, Martin, Marshall, Matthews, Miller, Mills, Munday, McDugald, McIntyre, McNeill, Norfleet, Pegram, Perry, Phillips, Puryear, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Sauls, Scales, Sherrill, Shimpock, Simons, Stubbs, Sutton, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Walton, Ward, Waugh, Webb, Wheeler, Whitehurst, Williams of Greene, Williams, of Warren, Wood and Wynne—88.

So the House refused to postpone indefinitely.

The question then recurring—shall the bill pass? it was decided in the affirmative.

Mr. Wynne moved that the rule be suspended, and that the bill be read the third time.

Which motion did not prevail.

Mr. Caldwell, of Guilford, Chairman, in behalf of the Committee on Corporations, to whom was referred "a bill to establish the Farmer's Bank of North Carolina;" reported the same back to the House with amendments, and recommended that it do pass.

The first question being on the first amendment of the Committee,

It was adopted.

The second amendment proposed was then read and adopted.

And the the question recurring—shall the bill pass? it was decided in the affirmative—Yeas 79, noes 22.

Mr. Wilder, of Wake, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Alford, Amis, Avery, Barco, Barrett, Black, Brooks, Burton, Bynum of Chatham, Bynum of Northampton, Caldwell, of Guilford, Calloway, Cherry, Collins, Cook, Corbett, Daniel, Dargan, Dobbin, Erwin, Eure, Fagg, Furr, George, Godwin, Gwynn, Harris, of Davidson, Hill of Caswell, Hill, of Duplin, Jarvis, Johnson, Jones, Lander, Long, of Caswell, Long, of Randolph, Lowry, Love, Lyon, Mathews, Miller, Mills, Mooring, Munday, McDugald, McIntyre, McNeill, Norfleet, Pegram, Perry, Perkins, Phelps, Phillips, Puryear, Reid, of Rockingham, Rives, Sanders, of Johnson, Scales, Simons, Smith, Spruill, Styles, Strange, Stubbs, Teague, Thornburg, Trexler, Turner, of Iredell, Turner of Orange, Watters, Walton, Ward, Webb, Wheeler, Williams of Greene, Wiley, Wood Wynne, and Tripp—79.

Those who voted in the negative, are :

Messrs. Allen, Bryant, Chesnutt, Cotten, Dobson, Dunn, Durham, Ellis, Fonville, Ganner, Harris, of Cabarrus, Herring, Holeman, Martin, Marshall, Russell, Shimpock, Sutton, Tolson, Waugh, Williams of Warren and Wilder—22.

On motion of Mr. Marshall, of Stokes, the House adjourned.

FRIDAY, Nov. 12th, 1852.

Mr. Martin, of Franklin, from the Select Committee, to whom was referred the bill giving elections of Clerks and Masters to the people, reported the same back to the House, and recommended that it do pass.

Whereupon the bill was read the second time.

Mr. Munday, of Macon, moved the following section as an amendment to the bill.

Be it further enacted, That the county surveyor in each county, shall be elected in same manner as Clerks and Masters in Equity, by the qualified voters of the House of Commons, in each and every county, and that all laws and clauses of law coming within the purview of and meaning of this law be, and the same are hereby repealed.

Which amendment was rejected—Yeas 41, nays 62.

Mr. Williams, of Warren, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Amis, Black, Bryant, Bysum of Chatham, Byrd, Caldwell, of Lincoln, Christmas, Cook, Cotton, Durham, Ellis, Erwin, Fagg, George, Godwin, Jarvis, Johnson, Lander, Love, Lyon, Martin, Marshall, Miller, Mills, Munday, McDougald, Norfleet, Sanders of Johnson, Sherrill, Simons, Spruill, Styles, Teague, Tripp, Walton, Ward, Whitehurst, Williams of Greene, and Williams of Warren—41.

Those who voted in the negative, are :

Messrs. Adams, Alford, Allen, Avery, Barco, Barrett, Brooks, Bynum, of Northampton, Caldwell, of Guilford, Calloway, Cherry, Chesnut, Corbett, Daniel, Dargan, Dohbin, Dobson, Dorien, Dunn, Eure, Furr, Gaither, Gwynn, Harris of Cabarrus, Harris, of Davidson, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jones, Long of Caswell, Long of Randolph, Lowry, Matthews, Mooring, McIntyre, McNeill, Pegram, Perkins, Phelps, Phillips, Puryear, Reid of Rockingham, Rives, Russell, Scales, Shimpock, Strange, Stubbs, Teague, Thornburg, Tolson, Turner, of Iredell, Turner of Orange, Walters, Waugh, Webb, Wheeler, Wiley, Wilder, Wood, and Wynne—62.

Mr. Webb, of Rutherford, introduced the following amendment; which was rejected—Ayes 27, nays 47.

Be it further enacted, That the provisions of this bill shall not extend to the county of Rutherford.

Mr. Dargan, of Anson, moved the following amendment; which was adopted:

Be it further enacted, That this bill and provisions be not extended to the county of Anson.

Mr. Brooks, of Pasquotank, moved the following amendment; which was adopted—Yeas 43, nays 63:

Be it further enacted, That the provisions of this bill shall not extend to the county of Pasquotank.

Mr. Webb, of Rutherford, introduced the following amendment; which was rejected—Yeas 43, nays 63:

Be it further enacted, That the county trustees of each and every county in this State be elected according to the same rules as are prescribed in this bill for the election of clerks and masters in Equity.

Mr. McDugald moved to lay on the table.

Which motion was lost.

And the question recurring on the amendment,

Mr. Webb demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Amis, Avery, Barrett, Black, Brooks, Bryant, Byrd, Caldwell of Lincoln, Carmichael, Christmas, Cook, Daniel, Dobson, Dunn, Ellis, Erwin, Eure, Fagg, George, Godwin, Jones, Lander, Love, Marshall, Mills, McDugald, McIntyre, Norfleet, Phelps, Puryear, Sherrill, Simons, Spruill, Styles, Trexler, Watters, Webb, Whitehurst, Williams of Greene, Williams of Warren, Wiley, Wilder and Wynne—47.

Those who voted in the negative are :

Messrs. Adams, Alford, Allen, Barco, Bynum of Northampton, Caldwell of Guilford, Calloway, Cherry, Chesnutt, Collins, Cotton, Corbett, Dargan, Dobbin, Dortch, Durham, Foreman, Furr, Gaither, Gwynn, Harris of Cabarrus, Harris of Davidson, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Johnson, Long of Caswell, Long of Randolph, Lowry, Lyon, Martin, Matthews, Miller, Mooring, Munday, McNeill, Pegram, Perkins, Phillips, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Sauls, Scales, Shimpock, Strange, Stubbs, Sutton, Teague, Thornburg, Tolson, Tripp, Turner, of Iredell, Turner of Orange, Walton, Ward, Waugh, Wheeler, and Wood—43.

Mr. Cherry, of Bertie, moved the indefinite postponement of the bill.

Mr. Martin, of Franklin, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Alford, Allen, Amis, Avery, Barrett, Brooks, Calloway, Cherry, Chesnutt, Christmas, Collins, Daniel, Dargan, Dobson, Dortch, Ellis, Eure, Furr, Harris of Cabarrus, Herring, Hill of Duplin, Jones, Lowry, McNeill, Norfleet, Perkins, Phelps, Puryear, Sauls, Simons, Spruill, Stubbs, Tolson, Turner of Orange, Watters, Webb, Whitehurst, Wilder and Wynne—39.

Those who voted in the negative, are :

Messrs. Adams, Barco, Black, Bryant, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of Guilford, Caldwell of Lincoln, Cook, Cotton, Corbett, Dobbin, Durham, Erwin, Fagg, Foreman, Gaither, George, Godwin, Gwynn, Harris of Davidson, Hill of Caswell, Jarvis, Johnson, Lander, Long of Caswell, Holeman, Long of Randolph, Lyon, Martin, Marshall, Matthews, Miller, Mills, Mooring, Munday, McDugald, McIntyre, Pegram, Phillips, Reid of Rockingham, Rives, Russell, Sanders, of Johnson, Scales, Sherrill, Shimpock, Styles, Strange, Sutton, Teague, Thornburg, Trexler, Tripp, Turner of Iredell, Walton, Ward, Waugh, Wheeler, Williams of Greene, Williams of Warren, Wiley and Wood—65.

So the House refused to postpone indefinitely.

Mr. Webb, of Rutherford, moved to postpone until Friday next ; which was rejected.

Mr. Spruill, of Bertie, offered the following amendment; which was rejected—Yeas 28, nays 74:

“And overseers of public roads, patrols, county solicitors, public rangers, registers and superintendents of common schools.”

Mr. Spruill demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albertson, Alford, Amis, Brooks, Byrd, Caldwell of Lincoln Cherry, Collins, Cook, Daniel, Dortch, Ellis, Erwin, Eure, Fagg, Jones, McDugald, McNeill, Norfleet, Phelps, Sauls, Sherrill, Waiters, Webb, Whitehurst, Williams of Green, Wilder and Wynne—28.

Those who vote in the negative, are :

Messrs. Adams, Allen, Avery, Barco, Bryant, Burton, Bynum of Chatham, Bynum, of Northampton, Caldwell, of Guilford, Calloway, Carmichael, Chesnutt, Christmas, Cotton, Corbett, Dargan, Dobbin, Dobson, Durham, Furr, Gaitner, George, Godwin, Gwynn, Harris, of Cabarrus, Harris, of Davidson, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Johnson, Lander, Long, of Caswell, Long, of Randolph, Lowry, Love, Lyon, Martin, Marshall, Matthews, Miller, Mills, Mooring, Munday, McIntyre, Pegram, Perkins, Phillips, Puryear, Reid, of Rockingham, Rives, Russell, Sanders, of Johnson, Scales, Sherrill, Shimpock, Simons, Strange, Stubbs, Sutton, Teague, Thornburgh, Tolson, Trexler, Tripp, Turner, of Iredell, Turner of Orange, Walton, Ward, Waugh, Wheeler, Williams of Warren, and Wood—74.

The hour of 12 having arrived, on motion of Mr. Avery, of Burke, the special order of the day was postponed until Friday next, and made the special order for that day at 12 o'clock.

The House resumed the consideration of the bill to give the election of Clerks and Masters to the people.

And the question recurring—shall the bill pass its second reading ? it was decided in the affirmative—Yeas 67, nays 36.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Barco, Black, Bryant, Burton, Bynum, of Chatham, Byrd, Caldwell, of Guilford, Caldwell of Lincoln, Carmichael, Cook, Cotton, Corbett, Dobbin, Dobson, Durham, Erwin, Fagg, Gaither, George, Godwin, Gwynn, Harris of Davidson, Herring, Hill of Caswell, Holeman, Jarvis, Johnson, Lander, Long of Caswell, Long, of Randolph, Lyon, Martin, Marshall, Matthews, Miller Mills, Mooring, Munday, McDugald, McIntyre, Pegram, Phillips Reid of Rockingham, Rives, Russell, Sanders of Johnson, Scales, Sherrill, Shimpock, Styles, Strange, Sutton, Teague, Thornburg, Trexer, Turner of Iredell, Walton, Ward, Waugh, Wheeler, Williams of Greene, Williams of Warren, Wiley, and Wood--67.

Those who voted in the negative are :

Messrs. Alford, Allen, Amis, Avery, Barrett, Brooks, Calloway, Cherry, Chesnutt, Daniel, Dargan, Dortch, Dunn, Ellis, Enre, Furr, Harris of Cabarrus, Hill of Duplin, Jones, Lowry, McNeill, Norfleet, Perry, Phelps, Puryear, Simons, Smith, Spruill, Stubbs, Tolson, Tripp, Watters, Webb, Wilder and Wynne--37.

Mr. Caldwell, of Guilford, on behalf of the Committee on Corporations, reported back to the House the following bills :

Which were severally read the second time and passed:

A bill to incorporate the Lumberton and Cape Fear Plank Road company;

A bill to incorporate the trustees of the Hillsborough Academy;

A bill to incorporate Science Hill, Male and Female Academy;

A bill to incorporate the town of Jonesville, in Yadkin county.

Mr. Cherry, Chairman, in behalf of the Committee on Finance, to whom was recommended a bill, to repeal in part the 31st section of the 102 chapter, Revised Statutes,

reported the same back to the House, and recommended that it do not pass.

On motion of Mr. Dobbin, the bill and report were laid on the table.

Mr. Cherry, from the same Committee, reported back to the House the bill to appoint tax collectors for the State of North Carolina, and recommended that do not pass.

Whereupon, the bill was read the second time.

Mr. Webb moved to lay the bill on the table.

Which motion was rejected—Yeas 28, nays 41.

Mr. Marshall moved the following amendment:

Provided, That this act shall extend to no other county than Rutherford.

Mr. Martin moved to postpone the bill indefinitely.

Which motion prevailed.

Mr. Williams, of Warren, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Albertson, Alford, Allen, Amis, Barco, Barrett, Brooks, Bryan, Bynum, of Chatham, Bynum, of Northampton, Caldwell, of Guilford, Calloway, Carmichael, Chesnutt, Cotton, Corbett, Daniel, Dargan, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Fagg, Furr, Gaither, George, Godwin, Harris, of Cabarrus, Harris, of Davidson, Herring, Hill, of Caswell, Holman, Jarvis, Johnson, Jones, Lander, Long, of Caswell, Lowry, Lyon, Martin, Marshall, Mooring, Munday, McDugald, McIntyre, McNeill, Norfleet, Pegram, Perry, Perkins, Phelps, Puryear, Reid, of Rockingham, Rives, Russell, San-

ders, of Johnson. Sauls, Scales. Sherrill, Shimpock, Simons, Spruill, Stubbs, Sutton, Thornburgh, Tolson, Trexler, Tripp, Watters, Walton, Ward, Waugh, Wheeler, Whitehurst, Williams, of Greene, Williams, of Warren, Wilder, Wood and Wynne—81.

Those who voted in the negative are :

Messrs. Avery, Burton, Byrd, Caldwell, of Lincoln, Cherry, Cook, Erwin, Long, of Randolph, Love, Matthews, Miller, Mills, Phillips, Styles, Teague, Turner, of Iredell, Turner, of Orange, Webb, and Wiley,—19.

Mr. Cherry, from the same Committee, reported back to the House, the bill concerning listing taxes, and recommended that it do not pass.

Whereupon the bill was read the second time.

Mr. Harris, of Davidson, moved to amend the bill, by striking out the 1st day of July, and inserting the 1st 20 days in July.

Which amendment was rejected.

And the question recurring—shall the bill pass its second reading ? it was decided in the negative.

Mr. Cherry, from the same committee, reported back to the House a resolution to enquire into the expediency of increasing the tax on circus riders, &c., and recommended that it is inexpedient to legislate upon the same, and asked to be discharged from its further consideration.

Which report was concurred in.

Mr. Dobbin, of Cumberland, introduced "a bill to incorporate a Mutual Insurance Company, in the town of Fayetteville ;" which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Dargan, of Anson, introduced "a bill to incorporate Carolina Lodge, No. 141, of Ancient York Masons;" which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Stubbs, of Beaufort, introduced "bill to extend the power of the Commissioners of navigation for the port of Washington;" which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. Phelps, of Washington, introduced a bill to establish the Roanoke Bank, in the town of Plymouth.

Pending the reading of which,

On motion of Mr. Williams, of Warren, the House adjourned.

SATURDAY, NOV. 13th, 1852.

The first business in order, was the bill introduced by Mr. Phelps yesterday,

Pending the reading of which, the House adjourned.

It was read the first time, passed, and referred to the Committee on Corporations.

On motion of Mr. Cherry, of Bertie, the Homestead bill introduced by Mr. Eure, of Gates, was taken from the table and referred to the Committee on the Judiciary.

On motion of Mr. Cherry, of Bertie, Mr. Mooring, of Martin, was added to the Committee on Finance.

Mr. Stubbs, of Beaufort, presented the memorial of Thomas Latham, of Beaufort county; which was referred to the Committee on the Judiciary.

On motion of Mr. Long, of Randolph,

Resolved, That the Judiciary Committee be instructed to enquire into the expediency of passing a law to limit the time for which sureties upon administration bonds are liable, and that they report by bill or otherwise.

On motion of Mr. Wheeler, of Lincoln,

Resolved, That the Committee on the Judiciary be instructed to enquire, if the present laws regulating the election of this State, prescribing the duties of Sheriffs, relative to the same, be sufficient to secure the faithful performance of their duties, as to holding the elections; the prompt transmission of the returns from each precinct to the Court House; and to the proper place of comparing the Senatorial and Congressional votes; and to execute the duty by signing, sealing, and delivering to the person who may appear to have a majority of the votes, a certificate of election.

On motion of Mr. Wood, of Craven,

Resolved, That the Committee on Swamp Lands be instructed to enquire into the quality and condition of the Swamp Lands belonging to the literary fund, and advise some plan whereby it may become a benefit to the same, and report by bill or otherwise.

On motion of Mr. Watters, of Brunswick,

Resolved, That the Judiciary Committee be instructed to enquire into the expediency of amending the law passed at the session of 1846-'47, which requires the *owners* of slaves that are hired to list them for taxation, and that they report by bill or otherwise.

Mr. Webb, of Rutherford, introduced "a bill authorizing the Sheriff of Rutherford, to collect arrears of taxes due him;" which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. George, of Columbus, introduced "a bill to incorporate the Lumberton and Columbus Plank Road Company;" which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Smith, of Halifax, introduced "a bill to incorporate the Roanoke and Meherrin Connection company;" which was read the first time, passed, and, on motion, referred to a Select Committee of five—Messrs Smith, Mooring, Cherry, Daniel and Lockhart, compose said committee.

Mr. Long, of Randolph, introduced "a bill to incorporate Franklinsville Manufacturing company, in the county of Randolph;" which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Martin, of Franklin, introduced "a bill concerning the official bonds of Sheriffs, Coroners, and Constables;" which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Daniel, of Hertford, introduced "a bill to prevent the fraudulent conveyance of property, and for other purposes;" which was read the first time, passed, and referred to

the Committee on the Judiciary, and ordered to be printed.

Mr. Phillips, of Orange, introduced "a bill to incorporate the Chapel Hill, and Durhamville Plank Road company;" which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Phillips, of Orange, introduced "a bill to incorporate the Lockville and Hillsboro' Plank Road company;" which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Wilder, of Wake, introduced "a bill to extend the authority of the Commissioners of the city of Raleigh;" which was read the first time, passed, and referred to the Committee on Propositions and Grievances.

Mr. Cotton, of Chatham, introduced "a bill to amend an act, and the supplement thereto, entitled an act to improve the Cape Fear and Deep Rivers, above Fayetteville;" which was read the first time, passed, and referred to the Committee on Internal Improvements.

A message was received from his Excellency, the Governor, transmitting the report of the President and Directors of the Deep River Navigation company; which was read, and with the report, transmitted to the Senate, with a proposition to print.

Mr. Rives, of Chatham, presented a memorial in favor of the Cape Fear and Deep River Navigation company; which was transmitted to the Senate, with a proposition to print.

Mr. Williams, of Warren, introduced the following resolution, which was read and laid on the table:

Resolved, That this House hold evening sessions from and after Monday next.

A message was received from the Senate, transmitting the following engrossed bills; which were severally read the first time and passed:

A bill to incorporate Catawba College;

A bill to amend the Charter of the town of Salisbury;

A bill concerning the Reports of the Supreme Court;

A bill to make the bonds of the State, issued on recount of the Fayetteville and Western Plank Road Company, transferable.

Also, "a resolution in favor of Rufus H. Page, of Wake county; which was read the first time and passed.

Also, a bill concerning the Seaboard and Roanoke Railroad company; which was read the first time, passed, and referred to the Committee on Internal Improvements.

A message was received from the Senate, transmitting the House bill, "authorizing the probate of deeds and bills of sale, requiring registration, before the Clerk of the Court of Pleas and Quarter Sessions at any time," amended by striking out the second section.

Which amendment was concurred in.

A message was received from the Senate, transmitting the following engrossed bill, and resolution:

"A bill to encourage the investment of capital, for Mining and Manufacturing purposes," which was read the first time and passed.

"A resolution requiring the Secretary of State to procure the names of the several acting Justices of the Peace in

this State, and report to the General Assembly ;" which was read, adopted, and ordered to be enrolled.

The following bills were severally read the third time, passed, and ordered to be engrossed.

A bill to incorporate Science Hill Male and Female Academy ;

A bill to incorporate the Lumberton and Cape Fear Plank Road Company ;

A bill to incorporate the town of Jonesville, in Yadkin county ;

A bill to repeal an act, entitled " an act to prevent the obstruction of the passage of fish, at inlets on the sea coasts of the State," passed at the session of 1850-'51.

The bill to amend an act, entitled " an act to incorporate the Raleigh and Gaston Railroad company," was read the third time.

Mr. Caldwell, of Guilford, moved to amend, by inserting after the word "session" in 13thth section, the following, "so long as the State shall remain a Stockholder."

Which amendment was adopted.

Mr. Saunders, of Wake, moved to amend the 19th section of the bill, by inserting after the names of the Commissioners, the following : "with the Agent or Representative of the State, approved by the Board of Internal Improvements."

Which amendment was adopted.

Mr. McDugald, of Bladen, moved to amend the 18th section of the bill, by adding the following :

Resolved, That the said connecting link of Railroad, between the said Raleigh and Gaston Railroad, and the said North Carolina Railroad, shall commence at the Raleigh Depot of the said Raleigh and Gaston Railroad and move thence in as direct a line as possible, to the said North Carolina Railroad, at or near the Southern end of Fayetteville street, in the city of Raleigh; and it is at the said point, that the said junction and actual connection of the said Raleigh and Gaston Railroad and the said North Carolina Railroad, shall be made, and no where else.

Mr. Dortch, of Wayne, moved that the House adjourn.

Mr. Williams, of Warren, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Bynum, of Northampton, Cherry, Collins, Corbett, Dortch, Fagg, Godwin, Harris, of Cabarrus, Hill of Caswell, Hill of Duplin, Jarvis, Johnson, Lockhart, Marshall, Mills, Perry, Spruill, Strange, Turner of Orange, Watters, and Whitehurst—21.

Those who vote in the negative, are :

Messrs. Adams, Albertson, Alford, Allen, Amis, Avery, Barco, Barrett, Black, Brooks, Bryant, Bynum of Chatham, Byrd, Caldwell, of Guilford, Calloway, Carmichael, Chesnutt, Cook, Daniel, Dobbin, Dobson, Dunn Ellis, Erwin, Furr, Gaitner, George, Gwynn, Harris, of Davidson, Hawkins, Herring, Holeman, Jones, Lander, Long, of Caswell, Long, of Randolph, Lowry, Love, Martin, Matthews, Miller, McDugald, McIntyre, McNeill, Pogram, Perkins, Phelps, Phillips, Puryear, Reid, of Rockingham, Rives, Russell, Sanders, of Johnson, Sanders of Wake, Sauls, Scales, Sherrill, Shimpock, Simons, Smith, Styles, Stubbs, Sutton, Teague, Thornburgh, Tolson, Trexler, Tripp, Turner, of Iredell, Walton, Ward, Waugh, Webb, Wheeler, Williams, of Greene, Williams, of Warren, Wilder, Wood and Wynne—78.

So the House refused to adjourn.

The question being taken on the amendment of Mr. McDugald, it was rejected.

The question now recurring—shall the bill pass? it was decided in the affirmative, and the bill was ordered to be engrossed.

On motion of Mr. Erwin, of Burke and McDowell, the House adjourned.

MONDAY, Nov. 15th, 1852.

Mr. John T. Lyon, of Orange, appeared, his presented credentials, was qualified and took his seat.

The Speaker announced that the committee on enrolled bills, on the part of the House, for the week, consists of Messrs. Hill, of Duplin, Miller, Long, of Caswell, Williams of Greene and Teague.

A message was received from the Senate, proposing to raise a joint select committee of three on the part of the Senate, and six on the part of the House, to ascertain and report, the condition of the Institution for the education of the Deaf, Dumb and Blind; the manner in which it has been and is now conducted, and how the pupils therein are taken care of and instructed.

Which proposition was concurred in, and Messrs. Turner, of Orange, Bynum, of Northampton, Long, of Randolph, Foreman, Shimpock and Christmas, appointed as the Committee on the part of the House.

A message was received from the Senate, transmitting an engrossed bill "to extend the time for registering grants, mense conveyances, powers of attorney, bills of sale and deeds of gift."

Which was read the first time and passed.

A message was received from the Senate, transmitting the bill to incorporate the Haywood and Pittsboro' Plank Road company, with an amendment.

Which was concurred in.

A message was received from the Senate, transmitting the bill to incorporate the Concord and Anson Plank Road company, with an amendment.

Which amendment was read, and on motion, the bill and amendment were laid on the table.

Mr. Burton, of Cleaveland, presented a memorial from sundry persons against the establishment of a new county to be formed of portions of Cleaveland, Rutherford, Lincoln, &c.

Which was referred to the Committee on Propositions and Grievances.

Mr. Stubbs, of Beaufort, presented "a memorial from sundry citizens of Beaufort county, praying the Legislature to impose a tax upon ready made clothing brought into this State for sale."

Which was referred to the Judiciary Committee.

Mr. George, of Columbus, presented a petition of sundry citizens of Columbus, praying the manumission of slave Rachel, the property of one of the petitioners.

Which was referred to the Committee on Propositions and Grievances.

Mr. Cook, of Wilkes, presented a petition from sundry citizens of Wilkes county, praying for an appropriation to clear out Roaring River.

Which was referred to the Committee on Propositions and Grievances.

Mr. Munday, of Macon, presented a petition from Joseph Branch to be paid back money, which he alleges to have twice paid the State for Cherokee lands, and a resolution in favor of the same.

Which was read the first time, passed, and with the memorial, referred to the Committee on Propositions and Grievances.

Mr. Hill, of Caswell, in behalf of the Committee on the Judiciary, reported back to the House the bill to incorporate the Bank of Yanceyville, with two amendments, and recommended that it do pass.

Whereupon, the bill was read the second time, and the amendments proposed by the committee adopted.

Mr. Holeman, of Person, moved to amend the bill by striking out the words "or its equivalent," wherever they occurred in the bill.

Which amendment was rejected—Yeas 34, nays 65.

Mr. Holeman demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Alford, Barrett, Bryant, Calloway, Chesnutt, Dunn, Ellis, Erwin, Gaither, Harris, of Cabarrus, Harris, of Davidson, Holeman, Jarvis, Marshall, Martin, Miller, Mills, Perkins, Puryear, Sherrill, Shimpoek, Smith, Syles, Thornburg, Tolson, Turner, of Iredell, Turner of Orange, Watters, Waugh, Webb, Whitehurst, Williams of Greene, Williams of Warren and Gwynn—34.

Those who voted in the negative, are :

Messrs. Adams, Amis, Avery, Barco, Black, Brooks, Burton, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell, of Guilford, Cherry, Collins, Cook, Corbett, Daniel, Dobbin, Durham, Eure, Fagg, Furr, George, Godwin, Hawkins, Hill of Caswell, Johnson, Jones, Lander, Leach, Lockhart, Long of Caswell, Long, of Randolph, Lowry, Love, Lyon of Granville, Lyon of Orange, Matthews, Mooring, Munday, McDugald, McNeill, Norfleet, Pegram, Perry, Phelps, Phillips, Reid of Rockingham, Rives, Russell, Sanders, of Johnson, Sauls, Scales, Simons, Strange, Stubbs, Sutton, Teague, Trexler, Tripp, Walton, Ward, Wiley, Wood, Wynne and Dobson—65

Mr. Holeman moved to amend by inserting the following proviso after the 12th section:

Provided, That the holder of said notes may have right of action against any person, who may then, or heretofore has been stockholders.

Which amendment was rejected.

The question recurring—shall the bill pass its second reading? it was decided in the affirmative.

A message was received from the Senate, proposing to go into the election of a Secretary of State to day, at 12 o'clock.

Which proposition was concurred in.

And Messrs. Hill and Amis, appointed to superintend the election on the part of the House.

Mr. Caldwell, of Guilford, chairman in behalf of the committee on corporations, reported back to the House, a bill to incorporate Carolina Lodge, No. 141, of the Ancient York Mason; also, a bill to incorporate the town of Elizabethtown in the county of Bladen, and recommended their passage.

Whereupon, they were severally read the second time and passed.

Mr. Avery, chairman, in behalf of the committee on Internal Improvements, reported back to the House a bill to incorporate the Chapel Hill and Durhamville Plank Road company, and recommended its passage.

Whereupon, the bill was read the second time and passed.

A message was received from the Senate, informing the House that Messrs. Steele and Cunningham form the Senate branch of the committee to superintend the election of Secretary of State, and that Mr. Wm. Hill is in nomination.

The House proceeded to vote with the following result :

FOR MR. HILL.

Messrs. Speaker, Adams, Albertson, Alford, Allen, Amis, Avery, Barco, Barrett, Black, Brooks, Bryant, Burton, Bynum, of Northampton, Bynum of Chatham, Byrd, Caldwell, of Guilford, Calloway, Chesnut, Carmichael, Cherry, Christmas, Cook, Colton, Corbett, Daniel, Dobbin, Dobson, Dunn, Durham, Ellis, Erwin, Eure, Fagg, Foreman, Furr, Gaither, George, Godwin, Gwynn, Harris of Cabarrus, Harris, of Davidson, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Johnson, Jones, Lander, Leach, Lockhart, Long of Caswell, Long of Randolph, Lowry, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Mooring, Munday, McDugald, McIntyre, McNeill, Pegram, Perry, Perkins, Phelps, Puryear, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Sauaders of Wake, Sauls, Scales, Sherrill, Shimpock, Simons, Smith, Spruill, Styles, Strange, Stubbs, Sutton, Teague, Thornburg, Tolson,

Trexler, Tripp, Turner, of Iredell, Turner of Orange, Watters, Walton, Ward, Waugh, Webb, Wheeler, Whitehurst, Williams of Greene, Williams of Warren, Wiley, Wood, Wynne, Collins and Phillip—111;

The hour having arrived for the consideration of the special order of the day, a bill concerning the Superior and County Courts:

On motion of Mr. Saunders, the House resolved itself into a Committee of the Whole, Mr. Cherry, of Bertie, in the Chair.

The committee rose, reported progress, and asked leave to sit again.

Leave being granted,

On motion of Mr. Cotton, of Chatham, the House adjourned

TUESDAY, Nov. 16th, 1852.

On motion of Mr. Cherry, of Bertie, the bill to appoint a superintendent of common schools, and for other purposes, was taken from the table, and made the special order of the day for next, at 12 o'clock.

A message was received from the Senate, proposing that the General Assembly adjourn *sine die*, on the 15th day of December next.

Mr. Williams, of Warren, moved to lay the proposition on the table.

Mr. Byrd, of Yancey, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Allen, Amis, Avery, Black, Caldwell of Lincoln, Calloway, Carmichael, Collins, Cotton, Dobbin, Dobson, Erwin, Fagg, George, Harris of Davidson, Hill of Caswell, Hill of Duplin, Johnson, Lander, Love, Martin, Mooring, Perry, Phelps, Phillips, Reid of Duplin, Saunders of Wake, Scales, Strange, Stubbs, Turner of Orange, Wheeler, Williams of Warren, Wilder and Wynne—36.

Those who voted in the negative, are :

Messrs. Adams, Alford, Barco, Barrett, Blow, Brooks, Bryant, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of Guilford, Cherry, Chesnut, Cook, Curbett, Daniel, Dunn, Furr, Gaither, Godwin, Gwynn, Harris of Cabarrus, Hawkins, Herring, Holman, Jarvis, Jones, Leach, Lockhart, Long of Caswell, Long of Randolph, Lowry, Lyon of Granville, Lyon of Orange, Marshall, Matthews, Miller, Mills, Munday, McDugald, McIntyre, McNeill, Pegram, Perkins, Puryear, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Sauls, Sherrill, Shimpock, Simons, Smith, Spruill, Styles, Sutton, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Watters, Walton, Ward, Waugh, Webb, Whitehurst, Williams of Greene, Wiley and Wood—72.

So the House refused to lay on the table.

Mr. Scales, of Rockingham, moved to postpone the further consideration of the proposition until the 10th of December.

Mr. Smith of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Amis, Avery, Black, Bryant, Caldwell of Guilford, Caldwell of Lincoln, Calloway, Carmichael, Collins, Cook, Dobbin, Dobson, Ellis, Erwin, Fagg, Gwynn, Harris of Davidson, Hill of Caswell, Jarvis, Johnson, Lander, Long of Randolph, Lowry, Love, Lyon of Orange, Lyon of Granville, Martin, Mooring, Munday, McNeill, Perry, Phillips, Reid of Duplin, Rives, Saunders of Wake, Scales, Sherrill, Strange, Teague, Turner of Orange, Wheeler, Williams, of Warren, Wilder and Wynne—45.

Those who voted in the negative are :

Messrs. Adams, Albertson, Barco, Barrett, Blow, Brooks, Bynum of Chatham, Bynum of Northampton, Byrd, Cherry, Chesnutt, Christmas, Corbett, Daniel, Dargan, Dunn, Eure, Furr, Gaither, George, Godwin, Harris of Cabarrus, Hawkins, Herring, Hill of Duplin, Holeman, Jarvis, Leach, Lockhart, Long of Caswell, Marshall, Matthews, Miller, Mills, McDugald, McIntyre, Pegram, Perkins, Phelps, Puryear, Reid of Rockingham, Russell, Sanders of Johnson, Sauls, Shimpock, Simons, Smith, Spruill, Styles, Sutton, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Watters, Walton, Ward, Waugh, Webb, Whitehurst, Williams of Greene, Wiley and Wood—65.

So the House refused to postpone.

And the question recurring—shall the proposition of the Senate be concurred in? it was decided in the affirmative—Yeas 73, nays 38.

Mr. Gaither of Davie, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Barco, Barrett, Black, Blow, Brooks, Bryant, Bynum, of Chatham, Bynum of Northampton, Byrd, Cherry, Chesnutt, Christmas, Daniel, Dunn, Eure, Furr, Gaither, George, Godwin, Gwynn, Harris of Cabarrus, Hawkins, Herring, Hill of Duplin, Holeman, Jarvis, Jones, Leach, Lockhart, Long of Caswell, Long of Randolph, Lowry, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Munday, McDugald, McIntyre, Pegram, Perkins, Puryear, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Sauls, Simons, Smith, Spruill, Styles, Stubbs, Sutton, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Watters, Walton, Ward, Waugh, Webb, Whitehurst, Williams of Greene, Wiley and Wood—73.

Those who voted in the negative are :

Messrs. Allen, Amis, Avery, Caldwell, of Guilford, Caldwell of Lincoln, Calloway, Carmichael, Collins, Cook, Corbett, Dargan, Dobbin, Dobson, Dortch, Ellis, Erwin, Fagg, Harris of Davidson, Hill of Caswell, Johnson, Lander, Love, Lyon, of G anville, Mooring, McNeill, Perry, Phelps, Phillips, Reid, of Duplin, Saunders of Wake, Sales, Sherrill, Shimpock, Strange, Turner of Orange, Wheeler, Williams of Warren and Wilder—38.

A message was received from the Senate, informing the House that the Senate branch of the Committee on the Deaf, Dumb and Blind, consists of Messrs. Washington, Watson and Jones, of Wake.

A message was received from the Senate, informing the House that the Senate branch of the Committee on enrolled bills for the week, consists of Messrs. Steele, Collins and McDowell.

Also, informing the House that the Senate had rejected the bill "to extend the right of appeal in certain cases."

A message was received from the Senate, transmitting the following engrossed bills :

"A bill to repeal an act, passed at the session of 1850-'51, entitled an act to establish a new county by the name of *Jackson* ;" which was read the first time and passed.

Mr. Love moved that the rule be suspended, and that the bill be put on its second reading.

Which motion prevailed—yeas 65, nays 34.

The Bill was read the 2nd time.

Mr. Love moved an amendment, as a substitute for the Bill.

When, on motion of Mr. Wheeler, of Lincoln, the Bill was laid on the table, and made the special order for next Tuesday at 12 o'clock.

A message was received from the Senate, transmitting a Bill to incorporate the Gulf and Graham plank road Company, with amendments ; which were concurred in.

Mr. Hill, of Caswell, from the Committee to superintend the election of Secretary of State, reported that there were 45 votes cast in the Senate, and 111 in the House; That William Hill received 156 votes, which, being a unanimous vote, he was duly elected.

Which report was concurred in.

On motion of Mr. Saunders, of Wake, the Bill to incorporate the Atlantic and North Carolina Railroad Company was taken from the table and made the order of the day for Monday next, at 12 o'clock.

Mr. Caldwell, of Guilford, in behalf of the Committee on Corporations, reported back to the House a bill to incorporate the Mutual Insurance Company, in the town of Fayetteville, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Caldwell, in behalf of the same committee, reported back to the House "a bill to incorporate the Franklinsville Manufacturing company," and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Cherry, Chairman, in behalf of the committee, reported back to the House "a bill to repeal the second section of the 79th chapter of an act, passed at the session of 1848-49," and recommended that it do not pass.

Whereupon, the bill was read the second time and rejected.

Mr. Cherry, in behalf of same committee, to whom was referred a resolution, to enquire into the expediency of tax-

ing ready made clothing brought into the State, reported the same back to the House, and asked to be discharged from its further consideration.

Which report was concurred in.

Mr. Blow, of Pitt, introduced "a bill to amend an act passed at the session of 1850-'51, entitled an act to incorporate the Greenville and Raleigh Plank Road Company;" which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Blow, of Pitt, introduced "a bill to amend the 14th chapter of the Revised Statutes, entitled an act concerning the public roads, fences and bridges in this State.

Mr. Strange, of New Hanover, introduced a bill to incorporate the Seaman's Friend Society; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Thornburg, of Randolph, introduced a bill to incorporate the Euwharrie and Yadkin Plank Road company; which was read the first time, passed and referred to the Committee on Internal Improvements.

Mr. Calloway, of Wilkes, introduced a bill to authorise E. C. Bartlett, late Sheriff of Ashe County, to collect arrears of Taxes due him; which was read the 1st time, passed and referred to the Committee on Private Bills.

Mr. Webb, of Rutherford, introduced a Bill to establish a road over Blue Ridge, at Gap; which was read the 1st time, passed and referred to the Committee on Internal Improvements.

Mr. Bynum, of Northampton, introduced a Bill to incorporate Cherith Division, No. 25, Sons of Temperance, in

the County of Northampton, which was read the 1st time, passed and referred to the Committee on Corporations.

Mr. Munday, of Macon, introduced a Bill to expedite trials, and avoid unnecessary costs in punishing petty offences; which was read the 1st time, passed and referred to the Committee on the Judiciary.

Mr. Carmichael, of Wilkes, introduced a Bill to repeal in part the fifth section of an act of the General Assembly, passed at its session of 1850-'51, entitled an act to establish a Superior Court of Law and Equity, for the county of Watauga; which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Brooks, of Pasquotank, introduced a bill to incorporate Jonesboro' Division, No. 201, Sons of Temperance, in the county of Camden; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Cook, of Wilkes, introduced a resolution in favor of H. T. Dyer, late sheriff of the county of Wilkes; which was read the first time, passed and referred to the Committee on Private Bills.

On motion of Mr. Saunders, of Wake, the House resolved itself into Committee of the Whole on the bill concerning County and Superior Courts—Mr. Cherry, of Bertie, in the Chair.

The Committee rose, and, through their Chairman, reported progress, and asked leave to sit again.

Leave was granted, and

On motion of Mr. Caldwell, of Guilford, the House adjourned.

WEDNESDAY, NOV. 17, 1852.

The Speaker presented the following communication from the Hon. Thomas Ruffin, Chief Justice of the State :

*To the Honorable the General Assembly
of North Carolina now in Session :*

GENTLEMEN :

I desire to return to the walks of private life ; and, therefore, pray your honorable body to accept the resignation of my place on the Bench of the Supreme Court. In surrendering this trust, I would wish to express my grateful sense of the confidence and honors so often and so long bestowed on me by the General Assembly. But I have no language to do it suitably. I am very sensible that they were far beyond my deserts, and that I have made an insufficient return of service. Yet, I can truly aver, that, to the best of my ability, I have administered law, as I understood it, and to the ends of suppressing crime and wrong, and upholding virtue, truth and right ; aiming to give confidence to honest men, and to confirm, in all good citizens, a love for our country, and a sure trust in her laws and magistrates.

In my place, I hope I have contributed to those ends, and firmly believe that our laws will, as heretofore, be well executed, and our people happy in the administration of justice, honest and contented, as long as they keep, and only so long as they keep, the independent and sound judiciary now established in the Constitutions, which, with all other blessings, I earnestly pray, may be perpetuated to the people of North Carolina.

I have the honor to be, gentlemen,

Your most obliged and ob't servant,

THOMAS RUFFIN.

Raleigh, Nov. 10, 1852.

On motion of Mr. Saunders, of Wake,

Resolved, That the letter of the Hon. Thomas Ruffin, Chief Justice of the Supreme Court, be transmitted to the Senate, with a proposition that it be printed, and referred to a joint select committee of five on the part of the House and three on the part of the Senate.

Mr. Phillips, of Orange, introduced a bill to establish the competency of certain evidence; which was read the first time, passed and referred to the committee on the Judiciary and ordered to be printed.

Mr. Carmichael, of Wilkes, introduced a bill to lay off and establish a new county, of portions of Wilkes and Caldwell counties, to be called Clay; which was read the first time, passed, and, with the memorial, referred to the Committee on Propositions and Grievances.

Mr. Bynum, of Northampton, introduced a bill to incorporate Invincible Division, No. 184, order of the Sons of Temperance.

Which was read the first time, passed and referred, to the Committee on Corporations.

Mr. McIntyre, of Richmond, introduced a bill to incorporate Lawrenceburg High School, in the county of Richmond.

Which was read the first time, passed and referred to the committee on Corporations.

Mr. Long, of Randolph, introduced a bill in relation to liberties of sureties upon administration bonds.

Which was read the first time, passed and referred to the Committee on the Judiciary.

On motion of Mr. Wheeler, of Lincoln,

Resolved, That the Committee on Internal Improvements be instructed to examine the act as regards navigation of the Catawba River, what amendments may be proper to carry out this improvement.

On motion of Mr. Dobson, of Surry,

Resolved, That the Committee on Internal Improvements enquire into the expediency of the State subscribing a part of the stock in the Yadkin Navigation company, and that they report by bill or otherwise.

On motion of Mr. Willey, of Guilford,

Resolved, That the use of the Commons Hall be tendered to night, the 17th inst. to Professor Emmons, State Geologist, for the purpose of delivering a lecture on the agricultural and mineral resources of North Carolina.

Mr. Burton, of Cleaveland introduced the following resolution.

Which was read and rejected:

Resolved, That a message be sent to the Senate, proposing to raise a joint select committee, of five on the part of the House, and three on the part of the Senate, to inquire into the expediency of adopting the free banking law in this State.

Mr. Jones, of Tyrrell, introduced the following resolution:

Which was read, and on motion laid on the table.

Resolved, That a message be sent to the Senate, proposing to go into the election of Public Treasurer, on Saturday next, at 11 o'clock.

Mr. Martin, of Franklin, offered the following resolution; which was read the first time, passed and referred to the Committee on Claims:

Resolved, That the Public Treasurer pay to W. W. Greene and L. A. Jeffreys ninety nine dollars and fifty cents, for their medical attendance upon Mary W. Fuller for injuries received by her while a passenger on the Raleigh and Gaston Railroad, in the month of June, 1850, and that he be allowed the same in the settlement of his public amounts.

A message was received from the Senate, concurring in the proposition to print the letter of resignation of the Hon. Chief Justice of the Supreme Court, and in the proposition to raise a joint select Committee, to whom the matter shall be referred, and informing the House that Messrs. Joyner, Caldwell and Gilmer form the Senate branch of the Committee.

The Committee on the part of House consists of Messrs. Saunders of Wake, Phillips, Norfleet, Amis and Collins.

Mr. Thornburg, of Randolph, presented the resignation of H. Dorrett as a Justice of the Peace for the county of Randolph.

Which was read, accepted, and ordered to be transmitted to the Senate.

On motion of Mr. Shimpock, of Cabarrus, the bill to incorporate the Concord and Anson Plank Road company was taken from the table, and the amendment of the Senate concurred in.

A message was received from his Excellency, the Governor, transmitting the Report of President of the Raleigh and Gaston Railroad.

Which was ordered to be sent to the Senate, with a proposition to print.

A memorial from sundry citizens of Davidson, and other counties, was presented by Mr. Leach, of Davidson, and referred to the Committee on Education.

The hour of eleven having arrived, the special order of the day the bill providing for the appointment of superintendant of common schools, and for other purposes, was taken up, and the amendments proposed by the committee concurred in.

Mr. Scales, of Rockingham, moved to recommit the bill to the Committee on Education.

Which motion did not prevail.

Mr. Wiley moved the following amendment as an additional section to the bill.

Which was adopted.

Sec. 16. That all monies collected from defaulting chairmen shall be paid to the county from which collected.

The question then recurring—shall the bill pass its second reading? it was decided in the affirmative.

—On motion of Mr. Love, of Haywood, the rule was suspended, the bill read the third time and passed—Yeas 66, nays 48.

Mr. Marshall, of Stokes, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Adams, Albertson, Alford, Allen, Amis, Avery, Biew, Brooks, Burton, Bynum of Northampton, Caldwell of Guilford, Caldwell of Lincoln, Carmichael, Cherry, Collins, Cook, Cotton, Corbett, Daniel, Dobson, Durham, Edwin, Eure, Fagg, George, Godwin, Harris of Cabarrus, Hawkins, Johnson, Lander, Leach, Lockhart, Long of Randolph, Lowry, Love, Moring, McDugald, McIntyre, McNeill, Norfleet, Pegram, Perry, Perkins, Phelps, Phillips, Reid of Duplin, Rives, Sanders of Johnson, Saunders of Wake, Shimpock, Simons, Smith, Spurill, Strange, Stubbs, Tripp, Turner, of Iredell, Turner of Orange, Walters, Ward, Wheeler, Williams of Greene, Williams of Warren, Wiley, Wilder and Wynne—66.

Those who voted in the negative are :

Messrs. Barco, Barrett, Black, Bryant, Bynum of Chatham, Byrd, Calloway, Chesnut, Christmas, Dargan, Dobbin, Dunn, Ellis, Furr, Gaither, Gwynn, Harris of Davidson, Herring, Hill of Caswell, Hill of Duplin, Holman, Jarvis, Jones, Long of Caswell, Lyon of Granville, Martin, Marshall, Matthews, Miller, Mills, Munday, Puryear, Reid of Rockingham, Russell, Sauls, Scales, Sherrill, Styles, Sutton, Teague, Thornburg, Tolson, Trexler, Walton, Waugh, Webb, Whitehurst and Wood—48.

A message was received from the Sente, transmitting a bill to incorporate the Greensboro' Mutual Life Insurance and Trust Company," with amendments.

Which were concurred in.

On motion of Mr. Perry, of Granville, the House adjourned.

THURSDAY, Nov. 18th, 1852.

Mr. Phillips, of Orange, introduced a bill to incorporate the South Lowell Academy in the county of Orange ;" which was read the first time and passed.

Mr. Waugh, of Stokes, introduced a bill to attach a part of Yadkin, to Forsythe county ; which was read the first time, passed, and, on motion, the rule being suspended, the bill passed its second and third readings, and was ordered to be engrossed.

Mr. Wilder, of Wake, introduced a bill to incorporate Holly Springs High School, in the county of Wake ; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Wilder, of Wake, introduced a bill to incorporate Wake Forest Male Academy, in the county of Wake ; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Caldwell, of Guilford, introduced the following resolution ; which was read and laid on the table—Yeas 84, nays 23.

Resolved, That the Senate concurring, that the Judges of the Supreme Court be, and they are hereby respectfully requested to enquire and inform the Assembly, whether the act or acts authorizing the annual proceeds of the Literary Fund to be divided among the several counties of this State, have been passed in strict conformity with the provisions of the Constitution of the State, and are not now acted on in violation thereof.

Mr. Caldwell demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Alford, Allen, Amis, Avery, Barco, Barrett, Bryant, Burton, Bynum, of Northampton, Calloway, Cherry, Chesnut, Cook, Corbett, Daniel, Durham, Ellis, Erwin, Eure, Fagg, Furr, Gaither, George, Godwin, Harris, of Cabarrus, Hawkins, Herring, Hill, of Caswell, Hill of Duplin, Holeman, Jarvis, Jones, Lander, Lockhart, Long, of Caswell, Long, of Randolph, Lowry, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Mooring, McDugald, McIntyre, Norfleet, Pegram, Perry, Phelps, Phillips, Reid of Duplin, Reid, of Rockingham, Rives, Russell, Sanders, of Johnson, Sanners, of Wake, Sauls, Scales, Sherrill, Shumpock, Smith, Spruill, Stubbs, Sutton, Tolson, Tripp, Turner, of Orange, Walters, Walton, Ward, Webb, Wheeler, Whitehurst, Williams, of Greene, Williams, of Warren, Wilder, Wood, Turner of Iredell and Black—84.

Those who voted in the negative are :

Messrs. Adams, Bynum of Chatham, Byrd, Caldwell, of Guilford, Caldwell, of Lincoln, Carmichael, Cotton, Dobson, Gwynn, Harris, of Davidson, Johnson, Leach, Love, McNeill, Perkins, Puryear, Styles, Strange, Thornburgh, Trexler, Waugh and Wiley,—23.

Mr. Puryear, of Surry, offered a resolution in favor of Henry G. Hampton, late Sheriff of Yadkin and Surry counties ; which was read the first time, passed and referred to the Committee on Private Bills.

Mr. Johnson, of Guilford, offered the following resolution ; which was read, and under the rule, laid on the table :

Resolved, That this House take a recess from 2 to half-past 3 o'clock, P. M., from and after Monday next, for the purpose of holding evening sessions.

Mr. Avery, of Burke, offered the following resolution ; which was read and adopted :

Resolved, That the Committee on Internal Improvements be authorized to employ Major Walter Gwynn, or some other skillful Engineer, to examine the improvements in the navigation of Cape Fear and Deep Rivers, above Fayetteville, now progressing under the control and management of the Cape Fear and Deep River Navigation company : and report at as early a day as practicable, the

present condition of the work, and the probable amount of expenditure that will be necessary to insure its completion.

A message was received from his Excellency, the Governor, transmitting the report of the President and Directors of the Board of Internal Improvements; which, on motion of Mr. Caldwell, of Lincoln, was ordered to be sent to the Senate, with a proposition to print.

On motion of Mr. Saunders, of Wake, the House resolved itself into a committee of the whole, on the bill concerning County and Superior Courts, Mr. Cherry, of Bertie, in the Chair.

The committee rose, reported progress, and asked leave to set again; which was granted.

The report of the Comptroller, for the year 1852, was received and ordered to be transmitted to the Senate, with a proposition to print.

A bill to incorporate the Greensboro' and Deep River Plank Road Company was read the third time, amended, passed and ordered to be engrossed.

A bill to establish the Farmer's Bank of North Carolina, was read the third time, passed and ordered to be engrossed.

On motion of Mr. Avery, of Burke, the report of the President and Directors of the Cape Fear and Deep River Navigation company was referred to the Committee on Internal Improvements.

On motion of Mr. Martin, of Franklin, the House adjourned.

FRIDAY, NOV. 19th, 1852.

Mr. Johnson, of Guilford, moved to take from the table the resolution offered by him yesterday, providing for afternoon sessions.

Which motion prevailed—Yeas 42, nays 19.

And having been modified so as to take effect from and after Monday, 29th instant, was passed.

Mr. Saunders, of Wake, in behalf of the Joint Select Committee, appointed on the letter of resignation of Chief Justice Ruffin, reported the following resolutions ;

Which were unanimously adopted :

Resolved, unanimously, That the General Assembly receive reluctantly, and with deep regret, the announcement that Thomas Ruffin has resigned his office of Chief Justice of the Supreme Court of this State.

2nd. Resolved unanimously, That the pre-eminent ability, profound learning, and unspotted integrity which marked his long career as a Magistrate, command the warmest acknowledgments of this General Assembly, the gratitude of the people at large and will ever be the ornament and pride of administrative justice in North Carolina.

3rd. Resolved, That the proceedings of the General Assembly on this resignation be signed by the Speaker of both Houses, and transmitted to Chief Justice Ruffin.

The following bills were severally read the third time, passed and ordered to be engrossed :

A bill to amend the 5th section of an act concerning Common Schools, passed in 1844;

A bill to incorporate the Trustees of Hillsboro' Academy;

A bill in relation to the collection of partnership and other debts;

A bill to do away with collateral warrantees;

A bill to amend the 53rd section of the 34th chapter of the Revised Statutes;

A bill to amend the 4th section of an act passed at the session of 1832-'33, entitled an act compensating jurors of the original panel, for the county of Beaufort.

A bill to prohibit the sale of spirituous liquors to free persons of color was read the third time, passed and ordered to be engrosed—Yeas 75, nays 35.

Mr. Thornburgh, of Yancey, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Allen, Amis, Avery, Barrett, Black, Bryant, Burton, Bynum of Northampton, Byrd, Caldwell of Lincoln, Cherry, Cotton, Corbett, Dobbin, Dobson, Dortch, Dunn, Erwin, Fagg, Fonville, Gaither, George, Godwin, Gwynn, Harris of Cabarrus, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Holman, Lander, Leach, Lockhart, Long of Caswell, Lowry, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Mooring, McIntyre, Norfleet, Pegrain, Perry, Perkins, Phillips, Puryear, Reid of Rockingham, Russell, Sanders of Johnson, Sauls, Scales, Sherrill, Simons, Smith, Spruill, Styles, Strange, Sutton, Tripp, Turner of Iredell, Turner of Orange, Walters, Walton, Ward, Waugh, Webb, Wheeler, Williams of Greene, Wilder, Wood and Wynne—75.

Those who voted in the negative, are :

Messrs. Albertson, Alford, Bareo, Bynum of Chatham, Calloway, Carmichael, Chesnutt, Christmas, Cook, Daniel, Durham, Ellis, Eure, Furr, Harris of Davidson, Jarvis, Johnson, Jones, Long of Randolph, Lyon of Granville, Munday, McDugald, McNeill, Phelps, Reid of Duplin, Rives, Saunders of Wake, Shimpock, Teague, Thornburg, Tolson, Trexler, Whitehurst, Williams of Warren and Wiley—35.

A bill to pay tales jurors was read the third time, and the amendment proposed by the Committee adopted.

Mr. Carmichael, of Wilkes, moved to except the counties of Henderson, Rutherford, Ashe, Cabarrus, Wilkes, Yancey, Davie, Watagua, Alexander, Rockingham, Beaufort, Montgomery, Buncombe, Madison, Yadkin, Surry, Moore, Lincoln, Gaston, Iredell, Stanly, Union, Caldwell, Catawba, Tyrrell, Chatham, Washington, Anson, Pasquotank, and Mecklenburg.

Mr. Phillips, of Orange, moved to lay the bill and amendment on the table.

Mr. Williams, of Warren, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Barco, Barrett, Black, Bynum of Chatham, Caldwell, of Guilford, Corbett, Daniel, Dargan, Dobson, Dunn, Harris of Cabarrus, Long of Randolph, McIntyre, McNeill, Norfleet, Phelps, Phillips, Puryear, Reid of Duplin, Rives, Shimpock, Strange, Stubbs, Thornburg, Walton and Wood—27.

Those who voted in the negative, are :

Messrs. Albertson, Alford, Allen, Amis, Avery, Caldwell of Lincoln, Calloway, Carmichael, Cherrv, Chesnut, Christmas, Cook, Dobbin, Dnrich, Durham, Ellis, Erwin, Eure, Fag, Fonville, Foreman, Furr, Gaither, George, Godwin, Gwynn, Harris, of Davidson, Hawkins, Herring, Hill of Duplin, Holeman, Jarvis, Johnson, Jones, Lander, Leach, Lockhart, Long of Caswell, Lowry, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Mooring, Monday, McDugald, Pegram, Perry, Perkins, Reid of Rockingham, Russell, Sanders of Johnson, Scales, Sherrill, Simons, Smith, Spruill, Sutton, Teague, Tolson-Trexler, Tripp, Turner, of Iredell, Turner of Orange, Ward, Waugh, Webb, Wheeler, Whitehurst, Williams of Greene, Williams of Warren, Wiley and Wyuno—78.

So the House refused to lay on the table.

Mr. Caldwell, of Guilford, moved the following as a substitute for the Bill: Strike out all after the enacting clause and substitute the following :

"That it shall be lawful for the preceding Court of any County to order a decree for the payment of such tales Jurors, as he or they may think entitled to pay for services rendered."

Which amendment was rejected.

Mr. Puryear, of Surry, moved the indefinite postponement of the Bill.

Which was lost.—yeas 38, nays 68.

Mr. Harriss, of Davidson, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Alford, Allen, Amis, Avery, Barco, Barrett, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cook, Dobson, Dunn, Fagg, Furr, Gauthier, Gwynn, Harris of Cabarrus, Holeman, Lowry, Munday, Norfleet, Phelps, Puryear, Reid of Rockingham, Shimpock, Styles, Stubbs, Teague, Thornburg, Tolson, Tripp, Turner, of Iredell, Turner of Orange and Wynne—39.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Black, Brooks, Bryant, Caldwell of Lincoln, Chesnut, Christmas, Cotton, Corbett, Dobbin, Dortch, Durham, Ellis, Eure, Fonville, George, Godwin, Harris of Davidson, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Johnson, Lander, Leach, Lockhart, Long of Caswell, Long, of Randolph, Lyon of Granville, Lyon of Orange, Martin, Matthews, Miller, Mills, Mooring, McDugald, McIntyre, McNeill, Pegram, Perry, Perkins, Phillips, Rives, Russell, Sanders of Johnson, Saunders of Wake Sauls, Scales, Sherrill, Simons, Smith, Strange, Sutton, Trexler, Watters, Walton, Ward, Waugh, Webb, Wheeler, Whitehurst, Williams of Greene, Williams of Warren, Marshall, Wiley, Wilder and Wood—69.

The question recurring—shall the Bill pass? it was decided in the affirmative.

A message was received from his Excellency, the Governor, transmitting the Report of the Agent for the collection of Cherokee bonds, and sale of Cherokee lands.

Also the Report of the Commissioners to superintend the construction of the Western Turnpike Company.

Which were, on motion, ordered to be sent to the Senate with a proposition to print.

The Report of the Public Treasurer was received, and, on motion, ordered to be sent to the Senate with a proposition to print.

The hour for the special order of the day, a bill to amend the Constitution of the State of North Carolina, having arrived, it was taken up.

Mr. Holeman, of Person, moved an amendment.

The Speaker decided that all amendments to that portion of the bill, passed at the last session of the Legislature, were out of order, and could not be entertained.

Mr. Holeman appealed from the decision.

The House sustained the Speaker.

Whereupon, the bill passed its second reading, a majority of two-thirds of the House voting therefor—Yeas 84, nays 27.

Mr. Avery, of Burke, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Allen, Avery, Barco, Barrett, Black, Blow, Bryant, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of Lincoln,

Calloway, Chesnut, Christmas, Cotton, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Euse, Fagg, Fooville, Foreman, Gaitner, George, Godwin, Gwynn, Harris of Davidson, Helring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Leach, Lockhart, Long, of Caswell, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mathews, Mills, Mooring, Munday, McDugald, McIntyre, McNeill, Norfleet, Pegram, Phelps, Phillips, Puryear, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Saunders of Wake, Scales, Sherrill, Simons, Styles, Strange, Stubbs, Sutton, Tolson, Waters, Walton, Ward, Waugh, Webb, Wheeler, Williams, of Greene, Williams, of Warren, Wilder, Wood Wynne, Alford and Reid of Duplin—84.

Those who voted in the negative, are :

Messrs Adams, Amis, Brooks, Caldwell, of Guilford, Carmichael, Cherry, Cook, Erwin, Furr, Harris, of Cabarrus, Holeman, Johnson, Jones, Long, of Randolph, Lowry, Miller, Perry, Perkins, Shimpock, Smith, Spruill, Teague, Thornburgh, Tripp, Turner of Iredell, Whitehurst and Wiley—27.

On motion, the bill was made the special order of the day for Tuesday next, at half-past 12 o'clock.

Mr. Leach, of Davidson, moved to adjourn.

Which motion was lost.

Mr. Puryear, chairman, in behalf of the Committee on Propositions and Grievances, reported back to the house, a memorial from citizens of Wilkes, asking for free trade ; a petition to clear out Roaring River ; and a memorial from sundry citizens of Henderson, praying for an appropriation for a public road ; recommended that they be not granted, and asked to be discharged from their further consideration.

Which reports were concurred in.

Mr. Puryear, in behalf of the same committee, reported back to the House a bill for the relief of Clark Bird, and recommended that it do not pass.

On motion of Mr. Munday, of Macon, the bill and report were laid on the table.

Mr. Dortch, of Wayne, moved that the House adjourn.

Which motion was lost—Yeas 17, nays 73.

Mr. Puryear, of Surry, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Avery, Bynum of Northampton, Cherry, Cotten, Corbett, Dobbin, Dortch, Durham, Ellis, Erwin, Fonville, George, Lockhart, Mooring, McNeill and Tripp—17.

Those who voted in the negative are :

Messrs. Adams, Albertson, Alford, Amis, Barco, Barrett, Black, Brooks, Bryant, Bynum, of Chatham, Caldwell, of Guilford, Caldwell of Lincoln, Chesnutt, Cook, Dobson, Dunn, Eure, Fagg, Gaither, Godwin, Gwynn, Harris of Cabarrus, Herring, Hill of Duplin, Holeman, Jarvis, Johnson, Jones, Lander, Long of Caswell, Long of Randolph, Lowry, Lyon, of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Munday, McDugald, McIntyre, Pegram, Perkins, Phelps, Phillips, Puryear, Reid of Rockingham, Russell, Sanders of Johnson, Saunders of Wake, Scales, Sherrill, Shimpock, Simons, Smith, Styles, Stubbs, Sutton, Thornburg, Tolson, Trexler, Turner of Iredell, Watters, Walton, Ward, Waugh, Webb, Whitehurst, Williams of Greene, Williams of Warreu and Wood—73.

So the House refused to adjourn.

[Mr. Puryear, Chairman, in behalf of the Committee on Propositions and Grievances, to whom was referred a bill to extend the authority of the Commissioners of Raleigh, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

On motion of Mr. Puryear, of Surry, the House adjourned.

SATURDAY, NOV. 20th, 1852.

The following bills were severally read the third time, passed, and ordered to be engrossed:

A bill to incorporate Elizabethtown in the county of Bladen;

A bill to incorporate the Chapel Hill and Durhamville Plank Road Company;

A bill to amend the first section of the 20th chapter, of the Revised Statutes, so as to give the election of Clerks and Mastersto the people;

A bill to incorporate the Franklinsville Manufacturing company.

A bill to incorporate Carolina Lodge, No. 141, of Ancient York Masons, was read the third time, passed and ordered to be engrossed—Yeas 89, nays 13.

Mr. Caldwell, of Lincoln, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Alberison, Alford, Allen, Amis, Avery, Barco, Barrett, Black, Brooks, Bryant, Burton, Bynum of Northampton, Byrd, Caldwell of Guilford, Carmichael, Cherry, Chesnutt, Christmas, Collins, Cook, Corbett, Daniel, Dobbin, Durham, Ellis, Eure, Fagg, Fonville, Foreman, Gaither, George, Gwynn, Harris of Cabarrus, Herring, Hill of Caswell,

Hill of Duplin, Jarvis, Jones, Leach, Long of Caswell, Long of Randolph, Lowry, Love, Lyon of Granville, Lyon of Orange, Matthews, Miller, Mills, Mooring, Munday, McDugald, McIntyre, McNeill, Norfleet, Pegram, Perkins, Phelps, Puryear, Reid of Duplin, Reid of Rockingham, Russell, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Shimpock, Simons, Smith, Styles, Stubbs, Sutton, Teague, Thornburg, Trexler, Tripp, Turner of Iredell, Turner of Orange, Walton, Ward, Webb, Whitehurst, Williams of Greene, Williams, of Warren, Wiley Wilder, Wood and Wynne—89.

Those who voted in the negative are :

Messrs. Adams, Caldwell of Lincoln, Calloway, Dobson, Dunn, Holeman, Lander, Martin, Marshall, Sherrill, Tolson, Waugh, and Wheeler,—13.

Mr. Avery, of Burke, moved to reconsider the vote by which the bill to pay tales jurors passed yesterday.

Which motion prevailed, and the bill being amended by striking out the counties of Mecklenburg and Rockingham, from the proviso, passed its third reading, and was ordered to be engrossed.

Mr. Spruill, of Bertie, moved to reconsider the vote by which the bill to prohibit the sale of spirituous liquors to free persons of color, passed its third reading yesterday.

Which motion prevailed.

Mr. Daniel, of Hertford, moved to exempt the counties of Hertford and Carteret from the operations of the bill.

Which amendment was adopted—Yeas 40, nays 32.

Mr. Cook, of Wilkes, moved to amend by exempting the county of Wilkes.

Which amendment was rejected.

Mr. McNeill, of Robeson, moved the following amendment,

Which was adopted:

Provided, That the provisions of this bill shall not extend to the sale of ardent spirits for medicinal purposes.

The question then recurring—shall the bill pass? it was decided in the affirmative and the bill ordered to be engrossed.

A bill to incorporate the bank of Yanceyville was read the third time, passed, and ordered to be engrossed.

Mr. Holeman, of Person, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Albertson, Alford, Avery, Barco, Barreti, Black, Blow, Brooks, Burton, Bynum of Northampton, Byrd, Caldwell of Guilford, Caldwell of Lincoln, Calloway, Carmichael, Cherry, Collins, Cook, Corbett, Daniel, Dobbin, Erwin, Fagg, Foreman, Furr, George, Gwynn, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Johnson, Jones, Lander, Leach, Long of Caswell, Long of Randolph, Lowry, Love, Lyon of Granville, Lyon of Orange, Miller, Mills, Mooring, Munday, McDugald, McIntyre, McNeill, Pegram, Perkins, Phelps, Puryear, Reid of Duplin, Reid of Rockingham, Sanders of Johnson, Scales, Simons, Spruill, Styles, Strange, Stubbs, Sutton, Teague, Thornburgh, Trexler, Tripp, Walters, Walton, Ward, Webb, Wheeler, Whitehurst, Williams of Greene, Wiley, Wood and Wynne—77.

Those who voted in the negative, are:

Messrs. Adams, Allen, Bryant, Chesnutt, Christmas, Cotten, Dobson, Dorich, Dunn, Durham, Ellis, Fonville, Gaither, Harris of Cabarrus, Harris of Davidson, Herring, Holeman, Lockhart, Martin, Marshall, Matthews, Russell, Sauls, Sherrill, Shimpock, Smith, Tolson, Turner of Iredell, Waugh, Williams of Warren and Wilder—31.

A bill to alter the line between the counties of Lincoln, Gaston and Cleveland, was read the third time.

Mr. Lander offered the following amendment, which was adopted:

Be it further enacted, The Commissioners aforesaid, shall, when met for the establishment of the said line between the counties of Gaston, Lincoln and Cleaveland, before some Justice of the Peace, for the county of Gaston, take an oath in due form of law, that they, and each of them, shall do equal justice between the counties of Gaston, Lincoln, and Cleaveland, in establishing the lines between them.

The question then recurring—shall the bill pass? it was decided in the affirmative, and the bill ordered to be engrossed.

The resignation of James E. Hoyt, a Justice of the Peace, for the county of Beaufort, was tendered and accepted.

On motion of Mr. Cotten, of Chatham,

Resolved, That a message be sent to the Senate, proposing to go into the election of United States Senator, this day at 12 o'clock.

Mr. Norfleet, of Edgecombe, introduced a bill to amend the several acts heretofore passed, and which are now in force, for the incorporation and government of the town of Tarborough, and to authorize and empower the Commissioners of said town to lay off a portion of the commons of said town into lots and sell the same; which was read the first time, passed and referred to the Committee on Private Bills.

Mr. Mooring, of Martin, introduced a bill to restrict fishing, in part, in Albermarle Sound and other waters; which was read the first time, passed, and referred to the Committee on Propositions and Grievances.

A message was received from the Senate, agreeing to the proposition to go into an election of United States Senator at 12 o'clock, and informing the House that James C. Dobbin is in nomination.

Also, informing the House, that Messrs. Murchison and Thompson form the Senate branch of the committee, to superintend the election.

Mr. Love, of Haywood, added the name of R. M. Saunders to the nomination, and Mr. Cotten, of Chatham, put James B. Shepard in nomination.

The Speaker announced that Messrs. Strange and Spruill form the House branch of the committee to superintend the election.

The hour of 12 having arrived, the House proceeded to vote for United States Senator, with the following result :

FOR MR. DOBBIN.

Messrs. Allen, Avery, Barrett, Black, Bryant, J. B. Bynum, Chesnut, Corbett, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lockhart, Long of Caswell, Lyon of Orange, Martin, Marshall, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Russell, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Ward, Waugh, Wheeler, Williams of Warren, Wilder, Wood and George,—45.

FOR MR. SAUNDERS.

Messrs. Speaker, Brooks, J. A. Caldwell, Christmas, Fagg, Foreman, Gwynn, Hawkins, Lowry, Love, Tolson and Wynne—12.

FOR MR. SHEPARD.

Messrs. Adams, Albertson, Collier, Cook, Cotton, Eure, Godwin, W. H. Harris, Mathews, Spruill, Watters, W. Turner and Teague—13.

FOR MR. RAYNER.

Messrs. Alford, Cherry, Daniel, Gaither, Leach, Miller, McIntyre,
W. H. Saunders, Thornburg and Trexler—10.

FOR MR. STANLY.

Mess. Barco, Jones, Stubbs, Tripp and Whitehurst—5.

FOR MR. CLINGMAN.

Messrs. Blow, Byrd and Mills—3.

FOR MR. KERR.

Messrs. Carmichael, McDugald and Wiley—3.

FOR MR. WOODFIN.

Messrs. Erwin and Webb—2.

FOR MR. MOREHEAD.

Messrs. Furr, W. S. Harris, Shimpock and Styles—4.

FOR MR. OSBORNE.

Messrs. Johnson and Simons—2.

FOR MR. MANLY.

Messrs. W. J. Long and Puryear—2.

FOR MR. PURYEAR.

Mr. Amis—1.

FOR MR. MILLER.

Mr. D. F. Caldwell—1

FOR MR. SWAIN.

Mr. Calloway—1

FOR MR. CHERRY.

Mr. Holeman—1

FOR MR. T. RUFFIN, Sr.

Mr. John F. Lyon—1.

FOR MR. GREENE.

Mr. Perkins—1.

FOR MR. CRAIG.

Mr. R. M. Saunders—1

FOR MR. GRAHAM.

Mr. Smith—1

FOR MANGUM.

Mr. J. Turner—1

FOR MR. BAXTER.

Mr. B. F. Williams—1.

Mr. Strange, from the committee to superintend the election of United States Senator, reported that 160 votes were

cast—that 51 were necessary for a choice—that Mr. Dobbin received 72; Mr. Saunders 12; Mr. Shepard 15; Mr. Rayner 11; Mr. Puryear 1; Mr. Stanly 8; Mr. Clingman 3; Mr. Miller 8; Mr. Swain 2; Mr. Kerr 3; Mr. Woodfin 2; Mr. Morehead 4; Mr. Cherry 1; Mr. Osborne 2; Mr. Manly 2; Mr. Ruffin 1; Mr. Greene 1; Mr. Craig 1; Mr. Graham 4; Mr. Mangum 1; Mr. Baxter 2; Mr. Thompson 2; Mr. Gilmer 1; Mr. Outlaw 1: that as no one had a majority, there was no election.

Which report was concurred in.

A message was received from the Senate, proposing to go into an election of United States Senator forthwith; which was read, and, on motion of Mr. Love, laid on the table.

Mr. Love moved that a proposition be sent to the Senate, proposing to go into an election of United States Senator, Monday at 12 o'clock.

Which motion prevailed.

Mr. Blow, of Pitt, moved that a message be sent to the Senate, proposing to go into an election for Attorney General forthwith.

Which motion was carried—Yeas 50, nays 38.

Mr. Carmichael, of Wilkes, moved to reconsider the vote, by which the House had agreed to send a proposition to the Senate, proposing to go into an election for Attorney General forthwith.

Which motion was carried.

Whereupon, on motion of Mr. Love, the proposition was laid on the table.

On motion of Mr. McIntyre, of Richmond, the House adjourned.

MONDAY, Nov. 22nd, 1852.

The Speaker announced the Committee on Enrolled Bills for the week, to consist of Messrs. McNeill, Simons, Bryant, Mills, and Fonville.

Mr. Mills, of Rutherford, introduced a bill to repeal the 18th and 19th chapters of the Statutes, passed at the General Assembly in 1848-'49; which was read the first time, passed, and with the memorial referred to a Select Committee of five—consisting of Messrs. Phillips, S. P. Hill, J. A. Caldwell, Miller and Wynne.

Mr. Webb, of Rutherford, presented sundry memorials and papers relating to the same subject; which were referred to same committee.

Mr. Chestnutt, of Sampson, presented a memorial of sundry citizens concerning free negroes; which was referred to the Committee on Propositions and Grievances.

Mr. Burton, of Cleaveland, presented a memorial from sundry citizens of Cleaveland, relative to the establishment of a new county; which was referred to the Committee on Propositions and Grievances.

Mr. Webb, of Rutherford, presented a petition from sundry citizens of the 78th Regiment, of Rutherford county.

praying the revision or repeal of the militia law of this State

Which was referred to the committee on revising or abolishing the Militia Laws.

Mr. Saunders, of Wake, presented the pension certificate of Zilpha Crocker, which was countersigned by the Speaker.

Mr. Avery, from the Committee on Internal Improvements, to whom was referred a bill concerning the Seaboard and Roanoke Railroad company, reported the same back to the House, with two amendments, marked A and B, and recommended that the bill be amended and passed.

Whereupon, the bill was read the second time, amended according to the report of the committee, and passed.

Mr. Long, of Randolph, from the same committee, referred back to the House a bill to authorize certain persons therein named to raise, by lottery, thirty thousand dollars, for the purpose of clearing out Goshen, in the county of Duplin, and recommended it to the favorable consideration of the House.

Whereupon, the bill was read the second time and rejected—Yeas 41, nays 62.

Mr. Spruill, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Avery, Barrett, Blow, Burton, Byrd, Caldwell of Guilford, Caldwell of Lincoln, Chesnutt, Cook, Corbett, Dobbin, Durham, Fagg, Fonville, George, Hill of Duplin, Jarvis, Leach, Long of Randolph, Love, Lyon of Granville, Mills, McDugald, Norfleet, Pegram, Phelps, Reid of Duplin, Russell, Saunders of Wake, Simons, Strange, Sutton, Trexler, Tripp, Turner of Orange, Watters, Walton, Ward, Whitehurst, Williams of Greene and Wood—41.

Those who voted in the negative are :

Messrs. Adams, Albertson, Alford, Allen, Amis, Barco, Black, Bryant, Bynum of Northampton, Calloway, Carmichael, Cherry, Christmas, Collins, Cotton, Dargan, Dobson, Dunn, Erwin, Eure, Furr, Gaither, Gwynn, Harris of Cabarrus, Harris of Davidson, Herring, Holeman, Johnson, Jones, Lander, Lockhart, Long of Caswell, Lowry, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mooring, Munday, McIntyre, McNeill, Perry, Perkins, Puryear, Reid of Rockingham, Sanders of Johnson, Sauls, Scales, Sherrill, Shimpock, Smith, Spruill, Teague, Thornburg, Tolson, Turner of Iredell, Waugh, Webb, Wheeler, Williams of Warren, and Wilder—62.

Mr. Avery, of Burke, chairman, in behalf of the same committee, reported back to the House a bill to incorporate "the Enwharrie and Yadkin Plank Road company," and recommended its passage.

Whereupon, the bill was read the second time.

Mr. Harris, of Davidson, moved to amend the first section of the bill, by inserting the names of the following commissioners: John Bradshaw, Abram Palmer, Joseph Spurce and Col. John Smith, of the county of Davidson.

Which amendment was adopted, and the bill passed its second reading.

Mr. Avery, chairman, from the same committee, reported back to the House a bill to amend an act, passed at the session of 1850 '51, entitled an act to incorporate the Greenville and Raleigh Plank Road company, and recommended its passage.

Whereupon, the bill was read the second time and passed.

On motion of Mr. Leach, of Davidson, the resolutions relating to the public lands, introduced by him, were taken from the table, and made the special order of the day for Wednesday next, at 12 o'clock.

Mr. Turner, of Orange, introduced [a bill to compensate owners of slaves who may be executed; which was read the first time, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Turner, of Orange, introduced a bill to prevent the removal of slaves from the State, by tenants for life; which was read the first time, passed, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Lander, of Lincoln, introduced a bill to enable the chairman of the County Court, in any county in this State, to sue for injuries done to the public buildings of the county; which was read the first time, passed, referred to the Committee on the Judiciary, and ordered to be printed.

A message was received from the Senate, informing the House that the Senate branch of the Committee on Enrolled Bill for the week consists of Messrs. Willey, Jones, Palmer and Drake.

Also, informing the House that the Senate agree to go into an election for U. S. Senator, to-day at 12 o'clock, and that Messrs. Wesley Jones and Washington form the Senate branch of the Committee to superintend the election.

On motion of Mr. Smith, of Halifax,

Resolved, That the use of the Commons Hall be tendered to Professor Emmons, on Friday night, for the purpose of delivering a Lecture upon Agriculture, Mineralogy, &c.

On motion of Mr. McIntyre, of Richmond,

Resolved, That a Joint Select Committee of Eight, five on the part of the House, and three on the part of the Senate, be appointed, to enquire into the expediency of estab-

lishing a State Lottery, for the purpose of raising our internal improvement and educational fund.

Mr. Saunders, of Wake, Chairman, in behalf of the Judiciary Committee, to whom was referred a bill to amend the 10th section of the 34th chapter of the Revised Statutes, entitled an act concerning crimes and punishments, reported the same back to the House with an amendment, as a substitute for the bill.

Whereupon, the bill was read the second time, and pending the question on the amendment, the order of the day was taken up.

The House then proceeded to vote for United States Senator, with the following result:

FOR MR. DOBBIN.

Messrs. Allen, Avery, Barrett, Black, Bryant, Burton, Bynum of Northampton, Chesnutt, Corbett, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, George, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lockhart, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Muodday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Russell, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Ward, Waugh, Wheeler, Williams of Warren, Wilder and Wood—47.

FOR MR. SAUNDERS.

Messrs. Speaker, Caldwell of Lincoln, Christmas, Daniel, Fagg, Foreman, Gwynn, Hawkins, Jones, Leach, Lowry, Love, Shimpock, Simons, Styles, Stubbs, Tolson, Webb, Whitehurst, and Bynum of Northampton—20.

FOR MR. SHEPARD.

Messrs. Adams, Albertson, Barco, Brooks, Collins, Cook, Cotton, Eure, Harris of Davidson, Matthews, Sanders of Johnson, Spruill, Teague, Trexler, Tripp, W. Turner and Watters—17.

FOR MR. RAYNER.

Messrs. Alford, Dargan, Long of Randolph and Miller—4.

FOR MR. KERR.

Messrs. Amis and Calloway—2.

FOR MR. CLINGMAN.

Messrs. Blow, Byrd and Mills—3.

FOR MR. PURYEAR.

Messrs. Caldwell of Guilford and McIntyre—2.

FOR MR. CRAIG.

Mr. Saunders—1.

FOR MR. JOYNER.

Messrs Perkins and Smith—2.

FOR MR. McCOY.

Mr. McDugald—1.

FOR MR. MILLER.

Messrs. Carmichael and Puryear—2.

FOR MR. OUTLAW.

Messrs. Cherry, Gaither and Holeman—3.

FOR MR. GILLIAM.

Messrs. Johnson and Perry—2.

FOR MR. OSBORNE.

Mr. Harris—1.

[FOR MR. WOODFIN.

Mr. Erwin—1.

FOR MR. MOREHEAD.

Messrs. Furr and Wiley—2.

FOR MR. WADDELL.

Mr. Turner of Orange—1.

FOR MR. BAXTER.

Messrs. Thornburg and Williams of Greene—2.

A message was received from his Excellency, the Governor transmitting the report of Professor Emmons ; which, on motion of Mr. Dobbin, was ordered to be sent to the Senate, with a proposition to print three thousand copies.

Mr. Bynum, of Northampton, from the committee to superintend the election of United States Senator, made the following report; which was concurred in :

That 162 votes were cast : that of these—Mr. Dobbin received 74; Mr. Shepard 24; Mr. Saunders 22; Mr. Rayner 6; Mr. Graham 4; Mr. Miller 4; Mr. Outlaw 3; Mr. Clingman 3; Gilmer 2; Joyner 2; Mr. Morehead 2; Mr. Baxter 2; Mr. Kerr 2; Mr. Swan 2; Mr. Stanly 1; Mr. Barrett 1; Mr. Lillington 1; Mr. Woodfin 6; Mr. Os

borne 1; Mr. Waddell 1; Mr. McKay 1; Mr. Craig 1; Mr. Puryear 2; that as 82 were necessary for a choice, and no one having received that number, there was no election.

The special order of the day, a bill to incorporate the Atlantic and North Carolina Railroad company, and the memorial from citizens of Craven, having been read, the bill was read the second time.

Pending the question on the amendments proposed by the Committee on Internal Improvements, on motion of Mr. Lowry, of Buncombe, the House adjourned.

TUESDAY, Nov. 23d, 1852.

The House resumed the consideration of the unfinished business of yesterday, the bill to incorporate the Atlantic and North Carolina Railroad company, the question pending upon the amendment proposed by the committee.

Mr. Reid, of Duplin, moved to amend by striking out 40th section.

Which motion prevailed.

Mr. Caldwell, of Guilford, moved to amend the 34th section, by striking out in the 5th line of the printed bill, the words "five hundred," and inserting "one hundred and fifty thousand."

Which amendment was adopted.

The amendment proposed by the committee was then adopted—Yeas 59, nays 48.

Mr. Martin, of Franklin, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Adams, Avery, Barret, Brnoks, Burton, Byrd, Caldwell of Guilford, Caldwell of Lincoln, Calloway, Carmichael, Cnok, Dobbin, Dortch, Dunn, Erwin, Fagg, Fonville, Foreman, Harris of Cabarrus, Hawkins, Hill of Duplin, Johnson, Leach, Long of Randolph, Lowry, Love, Munday, Mooring, McDugald, McNeill, Pegram, Perry, Phelps, Reid of Duplin, Russell, Saunders of Wake, Sauls, Sherrill, Shimpock, Simons, Spruill, Styles, Stubbs, Sutton, Teague, Thornburgh, Tripp, Turner of Iredell, Watters, Ward, Waugh, Webb, Wheeler, Whitehurst, Williams of Greene, Wiley, Wood and Wynne—59.

Those who voted in the negative, are :

Messrs. Alford, Allen, Amis, Barco, Black, Bryant, Bynum of Chatham, Bynum of Northampton, Cherry, Chesnutt, Christmas, Cotten, Corbett, Daniel, Dargan, Dobson, Durham, Ellis, Furr, Gaither, George, Godwin, Harris of Davidson, Herring, Hill of Caswell, Holeman, Jarvis, Jones, Lander, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Mills, McIntyre, Norfleet, Perkins, Puryear, Reid of Rockingham, Sanders of Johnson, Scales, Smith, Tolson, Trexler, Williams of Warren and Wilder—48.

Mr. Williams, of Greene, moved to amend the 1st section, 6th line, by inserting "and Snow Hill," after the word "Newbern."

Which amendment was rejected.

Mr. Williams demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Adams, Blow, Calloway, Chesnutt, Durham, Erwin, Norfleet, Puryear, Teague, Tripp, Watters, Webb, and Williams, of Greene—13.

Those who voted in the negative, are :

Messrs. Alford, Allen, Amis, Avery, Barco, Barrett, Black, Brooks, Bryant, Burton, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell, of Guilford, Caldwell of Lincoln, Carmichael, Cook, Cotton, Corbett, Daniel, Dargan, Dobbin, Dobson, Dortch, Dunn, Ellis, Fagg, Fonville, Foreman, Furr, Gainer, George, Godwin, Harris, of Cabarrus, Harris of Davidson, Hawkias, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Johnson, Jones, Lander, Leach, Long, of Caswell, Long, of Randolph, Lowry, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Mooring, Munday, McDugald, McIntyre, McNeill, Pegram, Perry, Perkins, Phelps, Reid of Duplin, Reid of Rockingham, Russell, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Sherrill, Shimpock, Simons, Smith, Styles, Strange, Stubbs, Tolson, Trexler, Thornburgh, Turner of Ireland, Turner of Orange, Walton, Ward, Waugh, Wheeler, Whitehurst, Williams, of Warren, Wilder, Wood and Wynne—93.

Mr. Williams, of Greene, moved to amend the 2nd section of the bill, by inserting "and Snow Hill," after the word "Kinston."

Which amendment was rejected.

Mr. Dortch, of Wayne, moved to amend the 2nd section, 2nd line, by inserting after the word, at the word, "the most practicable point on Beaufort Harbor."

Which amendment was adopted.

Mr. Dortch, of Wayne, moved to amend the 17th section, 5th line, by inserting after "point" "on Beaufort Harbor."

Which amendment was adopted.

Mr. Dortch, of Wayne, moved to amend the second section, by adding the following proviso thereto :

Provided, That the terminus of the said Atlantic and North Carolina Railroad shall not be nearer the Neuse River than the point now laid out for the terminus of the North

Carolina Railroad, about 300 yards below the corporate limits of the town of Goldsboro'.

[Which amendment was adopted.

Mr. Dortch, of Wayne, moved to amend the 17th section 6th line, by striking out after the word "county," the words "in the manner presented in the 2nd section of the bill."

Which amendment was adopted.

Mr. Dortch, of Wayne, moved to amend the 17th section, 9th line, by inserting after "Wayne," the words "in the manner presented, and limited in the second section of this act."

Which amendment was adopted.

Mr. Reid, of Duplin, moved to amend the 9th section of the bill, by striking out after "by" in the 8th line, the words "the Governor, by and with the advice of his council," and insert, "the Board of Internal Improvement."

Which amendment was adopted.

Mr. Williams, of Greene, moved to amend by striking out the 5th line, 38th section, after the word, "Wayne."

Which amendment was rejected.

Mr. Amis moved to postpone the further consideration of the bill till Friday next.

Which motion was not carried.

The question then recurring—shall the bill pass its second reading? it was decided in the affirmative, by the casting vote of the Speaker.

Mr. Marshall, of Stokes, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Avery, Burton, Byrd, Caldwell, of Guilford, Caldwell, of Lincoln, Calloway, Carmichael, Cherry, Collins, Cook, Corbett, Dobbin, Dortch, Erwin, Fonville, Foreman, Harris of Cabarrus, Hill of Duplin, Johnson, Leach, Long of Randolph, Lowry, Love, Miller, Mooring, Munday, McDugald, McNeill, Pegram, Perry, Phelps, Reid of Duplin, Russell, Saunders of Wake, Sauls, Shimpock, Simons, Spruill, Styles, Strange, Stubbs, Sutton, Teague, Thornburgh, Tripp, Turner of Fredell, Waiters, Ward, Webb, Wheeler, Whitehurst, Wiley, Wood and Wynne—55.

Those who voted in the negative are :

Messrs. Albertson, Alford, Allen, Amis, Barco, Barrett, Black, Blow, Bryant, Bynum of Chatham, Bynum of Northampton, Chesnut, Christmas, Cotton, Daniel, Dargan, Dobson, Dunn, Durham, Ellis, Fagg, Furr, Gaiher, George, Godwin, Gwynn, Herring, Hill, of Caswell, Holeman, Jarvis, Jones, Lander, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Mills, McIntyre, Norfleet, Perkins, Puryear, Reid of Rockingham, Sanders of Johnson, Scales, Sherrill, Smith, Tolson, Trexler, Turner of Orange, Waugh, Williams, of Greene, Williams, of Warren and Wilder—55.

Mr. McNeill, of Robeson, moved to reconsider the vote by which the bill to provide for the draining of Goshen, in the county of Duplin, by means of a lottery, was rejected yesterday.

Mr. Avery moved to lay the motion to reconsider on the table.

Which motion was carried.

Mr. Williams, of Warren, moved to send a message to the Senate, proposing to go into the election of United States Senator, forthwith.

Mr. Love, of Haywood, moved to lay the motion on the table.

Which motion was carried—Yeas 60, nays 53.

Mr. Love demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Amis, Barco, Blow, Brooks, Bynum of Chatham, Caldwell, of Guilford, Caldwell of Lincoln, Callo-way, Carmichael, Cherry, Collins, Cook, Daniel, Dargan, Erwin Fagg, Foreman, Furr, Godwin, Harris of Cabarrus, Harris, of Davidson, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Love, Matthews, Miller, McDugald, McIntyre, Perkins, Puryear, Sanders of Johnson, Saunders of Wake, Shimpock, Simons, Smith, Spruill, Styles Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watters, Webb, Whitehurst, Williams of Greene, and Wiley—60.

Those who voted in the negative, are :

Messrs. Allen, Avery, Barrett, Black, Bryant, Burton, Bynum of Northampton, Byrd, Chesnutt, Christmas, Cotten, Corbett, Dobbin, Dobson, Dorich, Dunn, Durham, Ellis, Fonville, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mills, Moorung, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sauls, Scales, Sherrill, Sutton, Walton, Ward, Waugh, Wheeler, Williams of Warren, Wilder and Wood—53.

Mr. Saunders, of Wake, offered the following resolutions, which were read, and, on motion of Mr. Cherry, laid on the table and ordered to be printed :

WHEREAS, the Democratic Convention at Baltimore resolved that the "Constitution does not confer upon the General Government the power to commence and carry on a general system of Internal Improvements," and "that the proceeds of the public lands ought to be sacredly applied to the national objects specified in the Constitution :"

And whereas, the Whig convention resolved "that the Constitution vests in Congress the power to open and repair harbors and remove obstructions from navigable rivers, and it is expedient that Congress shall exercise that power,

whenever such improvements are necessary for the common defence, or for the protection and facility of commerce with foreign nations, or among the States—such improvements being in every instance national and general in their character.”

And whereas, the opening of an inlet, at or near Nag's Head, in the language of President Jackson's Maysville Veto message, “being of a general, not local, National, not State character :

Be it, therefore,

Resolved, That our Senators and Representatives in Congress, ought, in the opinion of this General Assembly, to apply and vote for an appropriation of five hundred thousand acres of public land, or so much as may be necessary to open said Inlet, at or near Nag's Head, in this State.

Resolved, further, That the policy of granting the public land to actual settlers, and of making large appropriations of the same to works of internal improvements, within particular States, is unjust, unequal, and impolitic; and if persevered in by Congress, renders it the duty of the representatives of the other States to claim an equal distribution of the Public Domain, by the adoption of such a system as shall do equal justice to all, either by a distribution of the lands, or by a deposit with the States of their proceeds, to be invested by the Legislature in such stocks as they may direct, and to be returned, whenever called for, in such stocks as may have been selected.

The special order of the day for 12 o'clock, the bill to repeal an act passed at the session of 1850-51, entitled an act to establish a new county by the name of Jackson, was taken up, and, on motion of Mr. Munday, of Macon, postponed until Saturday next.

A message was received from the Senate, transmitting an engrossed resolution in favor of Rufus H. Page, which was read the first time and passed.

A message was received from the Senate, transmitting the following resolution, and asking the concurrence of the House therein :

Resolved, That it shall be established, as a joint rule of the two Houses, that no bill be introduced into the Senate or House of Commons during the present session after the 10th day of December next.

Mr. moved to lay the resolution on the table.

Which motion prevailed.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Alford, Allen, Amis, Avery, Bynum of Chatham, Caldwell of Guilford, Caldwell of Lincoln, Galloway, Carmichael, Collins, Cook, Cotton, Corbett, Dargan, Dobbin, Dobson, Dorich, Durham, Erwin, Fagg, George, Harris of Cabarrus, Harris of Davidson, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Johnson, Lander, Long, of Randolph, Lowry, Lyon of Granville, Marshall, Matthews, Munday, McDugald, McIntyre, McNeill, Norfleet, Pegram, Perry, Phelps, Puryear, Reid of Duplin, Rives, Russell, Scales, Simons, Spruill, Styles, Strange, Stubbs, Sutton, Teague, Thornburg, Tripp, Ward, Waugh, Wheeler, Whitehurst, Williams of Warren, Wiley, Wilder, Wood and Wynne—66.

Those who voted in the negative, are :

Messrs. Adams, Barco, Barrett, Black, Blow, Brooks, Bryant, Bynum of Northampton, Bird, Cherry, Chesnut, Daniel, Dunn, Fonville, Foreman, Furr, Gauthier, Godwin, Gwynn, Herrang, Holeman, Jones, Long of Caswell, Love, Lyon of Orange, Martin, Miller, Mills, Perkins, Reid of Rockingham, Sanders of Johnson, Sauls, Sherrill, Shimpock, Smith, Tolson, Trexler, Turner, of Iredell, Watters, Walton and Williams of Greene—49.

A message was received from the Senate, transmitting the following engrossed bill :

"A bill to emancipate James Langford, a slave;" which was read the first time, passed, and referred to the Committee on Propositions and Grievances.

Mr. Avery, Chairman, in behalf of the Committee on Internal Improvements, reported back to the House a bill to amend an act and the supplement thereto, entitled an act to improve the Cape Fear and Deep River Navigation company, with a substitute as an amendment, and,

On motion of Mr. Avery, the bill and substitute were ordered to lie on the table, and that the substitute be printed.

The report of the President and Directors of the North Carolina Institute for the education of the Deaf and Dumb, was presented, and on motion, it was ordered that it be transmitted to the Senate, with a proposition to print.

Mr. Saunders, Chairman, in behalf of the Committee on the Judiciary, reported back to the House a bill to protect the rights of persons owning personal property in common, and recommended its passage.

Whereupon, the bill was read the second time and passed.

The special order for half-past 12 o'clock, the bill to amend the Constitution of North Carolina, was taken up, and the question being put—shall the bill pass its second reading? it was decided in the affirmative, a majority of two-thirds of the House voting therefor.

Mr. demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Alford, Allen, Avery, Barco, Barrett, Black, Bluw Bryant, Burlon, Bynum, of Chatham, Bynum of Northampton, Byrd, Caldwell of Lincoln, Calloway, Chesnut, Christmas, Cotton, Corbett, Dobbin, Dobson, Dorich, Dunn, Durham, Ellis, Fagg, Fonville, Foreman, Gaither, George, Godwin, Gwynn, Harris of Davidson, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Long of Caswell, Love, Lyon of Granville, Lyon of Orange, Martin, Matthews, Mills, Mooring, Munday, McDugald, McIntyre, McNeill, Pegram, Phelps, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Sherrill, Simons, Styles, Strange, Stubbs, Sutton, Teague, Tolson, Turner of Orange, Watters, Walton, Ward, Waugh, Webb, Wheeler, Williams of Green, Williams, of Warren, Wilder, Wood and Wynne—84.

Those who voted in the negative are :

■ Messrs. Adams, Brooks, Caldwell of Guilford, Carmichael, Cherry, Cook, Dargan, Erwin, Furr, Harris of Cabarrus, Holeman, Johnson, Jones, Long of Randolph, Lowry, Miller, Perry, Shimpock, Smith, Spruill Thornburg, Tripp, Turner of Iredell, Whitehurst and Wiley—25.

A bill to amend the 10th section of the 34th chapter of the Revised Statutes, entitled an act concerning crimes and punishments, being unfinished business, was taken up, and the amendment proposed by the Judiciary Committee, adopted.

Whereupon, the bill passed its second reading.

Mr. Strange, of New Hanover, introduced a bill to incorporate King Solomon's Lodge, No. 138, Ancient York Masons, and Masonic Academy at Long Creek, in the county of New Hanover.

Which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Collins, Chairman of the Committee on Private Bills, reported back to the House a resolution in favor of J. W. Lowe, with a bill as a substitute, and recommended its passage.

Whereupon, the bill was read the second time.

Mr. McIntyre, of Richmond, moved the following amendment ; which was rejected :

Be it further enacted, That all persons holding notes or accounts not collected by law on account of the statute of limitations shall be allowed to collect the same.

The question recurring—shall the bill pass ? it was decided in the affirmative.

Mr. Collins, chairman, in behalf of the Committee on Private Bills, reported back to the House a bill to authorize J. Chine, sheriff of Catawba county, to collect arrears of taxes, and recommended its passage.

Whereupon, the bill was read the second time and passed.

On motion, the House adjourned.

WEDNESDAY, Nov. 24th, 1852.

On motion of Mr. Cotton, of Chatham, a message was sent to the Senate, to go into an election for United States Senator, to-day, at 11 o'clock.

Mr. Caldwell, of Guilford, chairman, in behalf of the committee on Corporations, reported to the House the following bills, and recommended their passage :

A bill to incorporate the Seamen's Friend Society ;

A bill to incorporate Invincible Division Sons of Temperance, No. 184 ;

A bill to incorporate Jonesboro' Division, No. 201 of the Sons of Temperance, in the county of Camden.

A bill to incorporate the Lumberton and Columbus Plank Road company ;

Which were severally read the second time and passed.

Mr. Caldwell, of Guilford, of the same committee, reported back to the House a bill to incorporate Wake Forest Male Academy, in the county of Wake, and "a bill to incorporate Holly Springs High School, in the county of Wake," with amendments, and recommended their passage.

Whereupon, they were read the second time, the amendments proposed by the committee adopted, and passed.

Mr. Caldwell, of Guilford, in behalf of the same committee, reported back to the House a bill to incorporate Cherith Division, No. 25, Sons of Temperance, in the county of Northampton, and recommended its passage.

Whereupon, the bill was read the second time and passed—Yeas 68, nays 32.

Mr. Tolson, of Anson, demanded the yeas and nays :

Those who voted in the affirmative, are :

Messrs. Albertson, Alford, Allen, Avery, Barco, Barrett, Brooks, Bryant, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of Guilford, Cherry, Chesnutt, Collins, Corbett, Daniel, Dargan, Dobbin, Durham, Erwin, Eure, Fonville, Gaither, George, Gwynn, Harris of Cabarrus, Herring, Holeman, Johnson, Leach, Lockhart, Long of Caswell, Long of Randolph, Lowry, Love, Lyon, of Granville, McDugal'd, McIntyre, McNeill, Norfleet, Pegram, Perkins, Phelps, Puryear Reid of Duplin, Rives, Russell, Saunders of Wake, Scales, Simons, Smith, Spruill, Styles, Stubbs, Thornburg, Tripp, Watters, Walton, Ward, Webb, Whitehurst, Williams of Greene, Williams of Warren, Wiley, Wilder, Wood and Wynne—68.

Those who voted in the negative are :

Messrs. Adams, Caldwell of Lincoln, Calloway, Carmichael, Cotten, Dobson, Dortch, Dunn, Ellis, Furr, Godwin, Hawkins, Hill of Duplin, Jarvis, Lander, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Mooring, Munday, Reid of Rockingham, Sanders of Johnson, Sherrill, Shimpock, Teague, Tolson, Turner of Iredell, Waugh, and Wheeler—32.

Mr. Caldwell, of Guilford, in behalf of the same committee, reported back to the House a bill to incorporate the Bank of Roanoke, and recommended its passage.

Whereupon, the bill was read the second time.

Mr. Martin, of Franklin, moved to amend the section, by striking out the words "equal to," and inserting the word "double;" which amendment was adopted.

Mr. Holeman, of Person, moved an amendment, which was rejected.

On motion of Mr. McNeill, of Robeson, the bill was laid on the table.

A message was received from the Senate, concurring in the proposition to raise a joint committee on Lottery for internal improvement; and informing the House that Messrs. Bynum, Person and McDowell form the Senate branch of said committee.

Also, agreeing to the proposition to go into an election for United States Senator, at 11 o'clock, and informing the House that Messrs. Bunting and Steele form the Senate branch of the committee to superintend the election.

The Speaker announced the committee on the part of the House to superintend the election of Senator, to be Messrs. Wilder and Jones.

The hour of eleven o'clock having arrived,

The House then proceeded to vote for United States Senator, with the following result:

FOR MR. DOBBIN.

Messrs. Allen, Avery, Barrett, Black, Bryant, Burton, Bynum of Northampton, Chesnutt, Corbett, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, George, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lockhart, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Russell, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Ward, Waugh, Wheeler, Williams of Warren, Wilder, Mooring, Rives and Wood—48.

FOR MR. SAUNDERS.

Messrs. Speaker, Brooks, Caldwell of Guilford, Caldwell of Lincoln, Carmichael, Cherry, Christmas, Daniel, Fagg, Foreman, Gwynn, Harris of Davidson, Hawkins, Lowry, Love, Phillips, Puryear, Simons, Stubbs, Tolson, Webb, Whitehurst, Wiley and Wynne—24.

FOR MR. SHEPARD.

Messrs. Adams, Albertson, Barco, Bynum of Chatham, Cook, Cotton, Dargan, Eure, Gauthier, Godwin, Jones, Matthews, Sanders of Johnson, Spruill, Teague, Trexler, Tripp, and Turner of Iredell—18.

FOR MR. RAYNER.

Messrs. Alford, Long of Randolph and Miller—3.

FOR MR. MILLER.

Messrs. Amis, Calloway, Holeman and Perkins—4.

FOR MR. CLINGMAN.

Messrs. Blow, Byrd and Mills—3.

FOR MR. WOODFIN.

Messrs. Erwin, McIntyre and Styles—3.

FOR MR. McKAY.

Mr. McDugald—1.

FOR MR. OSBORNE.

Messrs. Harris of Cabarrus and Shimpock—2.

FOR MR. MOREHEAD.

Mr. Furr—1.

FOR MR. CALDWELL.

Mr. Johnson—1.

FOR MR. CRAIG.

Mr. Saunders of Wake—1.

FOR MR. STANLY.

Messrs. Smith and Watters—2.

FOR MR. GRAHAM.

Messrs. Thornburg and Williams of Greene—2.

FOR MR. WHEELER.

Mr. Collins—1.

FOR MR. RUFFIN.

Mr. J. Turner—1.

FOR MR. ELLIS.

Mr. Leach—1.

On motion of Mr. Phelps, of Washington,

Resolved, That so much of the Report of President and Directors, of the Literary Fund, as relates to the construction of Pungo road in Washington county, be referred to the Committee on Education, with instructions to enquire into the expediency of completing the road.

The Speaker announced that Messrs. McIntyre, Moor-ing, Jones, Hill of Duplin and Walton, form the House branch of the Committee on Lottery, for Internal Improvements.

Mr. Wilder, from the Committee to superintend the election of U. S. Senator, made the following report; which was concurred in:

That 164 votes were cast—that 83 were necessary for a choice; that Mr. Dobbin received 74; Mr. Saunders 27; Mr. Shepard 25; Mr. Lillington 1; Mr. Rayner 4; Mr. Joyner 4; Mr. Miller 6; Mr. Graham 6; Mr. Edwards 2; Mr. Clingman 3; Mr. Craig 1; Mr. Ruffin 1; Mr. Ellis 1; Mr. Wheeler 1; Mr. Morehead 1. Mr. Woodfin 3; Mr. McKay 1; Mr. Osborne 2; Mr. Waddell 1; Mr. Stanly 2; that as no one had received a majority of all the votes, there was no election.

On motion of Mr. Reid, of Duplin, the special order of the day, the land resolutions of Mr. Leach, was postponed until Friday and made the special order for 12 o'clock.

On motion of Mr. McNeill, of Robeson, it was

Ordered, That a message be sent to the Senate, proposing to go into an election for United States Senator forthwith.

A message was received from the Senate, proposing that "the two Houses adjourn over until Friday," and to vote for Senator forthwith; which proposition was, on motion of Mr. Williams, of Warren, laid on the table.

A message was received from the Senate, agreeing to the proposition to vote for United States Senator forthwith, and informing the House that Messrs. Steele and Bunting form the Senate branch of the Committee.

Messrs. Reid, of Duplin, and Leach, form the House branch of the Committee.

The House proceeded to vote with the following result.

FOR MR. DOBBIN.

Messrs. Avery, Barrett, Black, Bynum of Northampton, Chesnutt, Corbett, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, George, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lockhart, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mooring, Munday, McNeill, Norfleet, Pegram, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Ward, Waugh, Wheeler, Williams of Warren, Wilder Wood, Bryant and Phelps—47.

FOR MR. SAUNDERS.

Messrs. Speaker, Allen, Brooks, Caldwell of Guilford, Caldwell of Lincoln, Carmichael, Cherry, Christmas, Daniel, Fagg, Foreman, Gwynn, Harris of Cabarrus, Hawkins, Leach, Lowry, Love, Phillips, Puryear, Shimpoek, Simons, Stubbs, Webb, Whitehurst and Wynne—25.

FOR MR. SHEPARD.

Messrs. Adams, Albertson, Barco, Collins, Cook, Cotton, Dargaw, Eure, Gaither, Godwin, Harris of Davidson, Jones, Matthews, Sanders of Johnson, Spruill, Teague, Trexler, Tripp and Turner of Iredell—20.

FOR MR. RAYNER.

Messrs. Alford, Long of Randolph, Miller, Perkins, Smith, Thornburg and Williams of Greene—7.

FOR MR. CLINGMAN.

Messrs. Blow, Byrd, Mills and Styles—4.

FOR MR. GILLIAM.

Messrs. Amis and Turner of Orange—2.

FOR MR. BAXTER.

Mr. Bynum of Chatham—1.

FOR MR. PATTERSON.

Mr. Calloway—1.

FOR MR. WOODFIN.

Mr. Eure—1.

FOR MR. OSBORNE.

Messrs. Furr and Tolson—2.

FOR MR. VENABLE.

Mr. Holeman—1.

FOR MR. MOREHEAD.

Mr. Johnson—1.

FOR MR. WASHINGTON.

Mr. Wiley—1.

FOR MR. McKAY.

Mr. McDugald—1.

FOR MR. JOYNER.

Mr. McIntyre—1.

FOR MR. STANLY.

Mr. Watters—1.

FOR MR. CRAIG.

Mr. Saunders of Wake—1.

On motion of Mr. Mooring, of Martin, the bill to incorporate the bank of Roanoke was taken from the table and passed its second reading.

Mr. Dobson moved to take from the table a bill to establish Yadkin county, and refer it to the Committee on the Judiciary.

Which motion prevailed.

Mr. Reid, from the Committee, to superintend the election of United States Senator, submitted the following Report.

Which report was concurred in:

That 164 votes were cast; that 83 were necessary for a choice—that Mr. Dobbin received 73 ; Mr. Saunders 27 ; Mr. Shepard 25 ; Mr. Lillington 1 ; Mr. Rayner 12 ; Mr. Edwards 5 ; Mr. Joyner 4 ; Mr. Clingman 4 ; Mr. Gilliam 2 ; Mr. Baxter 1 ; Patterson 1 , Mr. Woodfin 1 ; Mr. Osborne 2 ; Mr. Venable 1 ; Mr. Morehead 1 ; Mr. Washington 1 ; Mr. McKay 1 ; Mr. Stanly 1 ; and Mr. Craig 1 ; that as no one had received a majority of all the votes, there was no election.

On motion of Mr. Avery, of Burke,

A message was sent to the Senate, proposing to go into an election for United States Senator forthwith, and that when the two Houses adjourn to-day, they adjourn over until Friday.

Mr. Saunders, of Wake, moved to take up a bill to incorporate the Roanoke and Seaboard Railroad company ; which motion prevailed, and the bill was read the third time, passed and ordered to be enrolled.

A message was received from the Senate, concurring in the proposition, that “when the two Houses adjourn this day, they adjourn to meet Friday at 10 o’clock.”

Also, concurring in the proposition to vote for U. States Senator *forthwith*, and informing the House that Messrs. Bunting and Steele form the Senate branch of the committee to superintend the election.

The Speaker announced that Messrs. Fagg and Jarvis form the House branch of the committee on the election.

The House then proceeded to vote with the following result :

FOR MR. DOBBIN.

Messrs. Avery, Barrett, Black, Bryant, Bynum of Northampton, Chesnutt, Corbett, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, George Herring, Hill of Caswell, Hillock Duplin, Jarvis, Lander, Lockhart, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Moorhead, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russek, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Ward, Waugh, Wheeler, Williams, of Greene, Wilder and Wood—47.

FOR MR. SAUNDERS.

Messrs. Adams, Allen, Brooks, Bynum of Chatham, Carmichael, Caldwell, of Guilford, Cherry, Chesnutt, Fagg, Foreman, Gwynn, Harris, of Cabarrus, Hawkias, Lowry, Love, Phillips, Paryear, Shimpock, Simons, Stubbs, Teague, Tolson, Webb, Whitehurst, and Wynne—25.

FOR MR. SHEPARD.

Messrs. Albertson, Barco, Collins, Cook, Cotten, Daniel, Dargan, Eure, Gaither, Godwin, Harris of Davidson, Jones, Matthews, Sanders, of Johnson, Spruill, Styles, Trexler, and Turner of Iredell—18.

FOR MR. KAYNER.

Messrs. Alford, Long of Randolph, Miller and Thornburg—4.

FOR MR. CLINGMAN.

Messrs. Biew, Byrd and Mills—3.

FOR MR. STANLY,

Mr. Amis—1.

FOR MR. BARNES.

Messrs. Caldwell of Guilford, Erwin, Holman, Perkins and Smith—5.

FOR MR. COTTEN.

Messrs. Speaker and Watters—2.

FOR MR. OSBORNE.

Mr. Furr—1.

FOR MR. JOYNER.

Mr. Calloway—1.

FOR MR. GILLIAM.

Mr. Johnson—1.

FOR MR. MANGUM.

Mr. Leach—1.

FOR MR. MCKAY.

Mr. McDugald—1.

FOR MR. GILMER.

Messrs. McIntyre and Webb—2.

FOR MR. CRAIG.

Mr. Saunders of Wake—1.

FOR MR. ARENDELL.

Mr. Tripp—1.

FOR MR. NASH.

Mr. Turner of Orange—1.

FOR MR. KERR.

Mr. Williams of Greene—1.

Mr. Fagg from the committee to superintend the election of United States Senator, submitted the following report, which was concurred in:

That 164 votes were cast—that 83 were necessary for a choice; that Mr. Dobbin received 73; Mr. Saunders 29; Mr. Shepard 27; Mr. Lillington 1; Mr. Joyner 4; Mr. Jones, of Perquimans, 1; Mr. Woodfin 1; Mr. Rayner 7; Mr. Clingman 3; Mr. Stanly 1; Mr. Barnes 5; Mr. Cotten 2; Mr. Osborne 1; Mr. Mangum 1; Mr. Gilliam 1; Mr. McKay 1; Mr. Gilmer 1; Mr. Craig 1; Mr. Nash 1; Mr. Kerr 1; Mr. Arendell 1; that as no one had received a majority of all the votes cast, there was no election.

On motion of Mr. Leach, of Davidson, the House adjourned.

FRIDAY, NOV. 26, 1852.

A message was received from the Senate, transmitting the following engrossed bills and resolution; which were each read the first time and passed:

1st. A bill to enlarge the powers of the Commissioners of the town of Newbern;

2nd. A bill authorizing Justices of the Peace to resign to the County Courts, and for other purposes;

3rd. A bill to amend an act, passed in 1850-'51, to incorporate Lewis' Gold Mining company;

4th. A bill concerning Conrad Hill Gold Mining Company ;

5th. A bill to provide for the paying of tales jurors, in the counties of Northampton and Wake ;

6th. A bill to amend an act passed at the session of 1850 and 1851, entitled an act to incorporate the Anson Plank Road Company ;

7th. A bill to amend an act passed at the session of 1850 and 1851, entitled an act to regulate the pay of jurors and witnesses, in the county of Craven ;

8th. A bill to incorporate Cumberland Academy, in the county of Cumberland ;

9th. A bill to incorporate the Haywood and Raleigh Plank Road company ;

10th. A bill to incorporate the P. dee Plank Road company ;

11th. A bill to increase the revenue of the State, in the sale of its bonds ;

12th. A joint resolution to furnish the Library of Congress with certain volumes of the acts of the General Assembly of this State.

The following references of a portion of the above bills were made :

Number 5, to the Committee on the Judiciary ;

Number 11, to the Committee on Finance.

Number 1, to the Committee on Propositions and Grievances.

Mr. Puryear, of Surry, introduced a resolution, directing the Public Treasurer, to subscribe in behalf of the State, for seven hundred and fifty shares of stock, in the Yadkin Navigation company; which was read, and, on motion of Mr. Puryear, laid on the table.

Mr. Stubbs, of Beaufort, introduced a bill to incorporate the Washington and Tarboro' Plank Road company; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Dortch, of Wayne, presented the pension certificate of John Evans and Bryant Evans; which was read and referred to the Committee on Claims.

Mr. Dortch, of Wayne, introduced a bill to amend the 39th chapter of the Revised Statutes; which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Cherry, of Bertie, introduced a bill to provide for the education of Teachers; which was read the first time, passed, and referred to the Committee on Education, and ordered to be printed. ✓

Mr. McNeill, of Robeson, introduced a bill to amend an act, entitled an act to incorporate the town of Cumberland passed at the session of the General Assembly, in 1850-'51; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Webb, of Rutherford, introduced a bill to incorporate the Spartanburg and Rutherford Plank Road Company; which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Reid, of Duplin, introduced a bill to provide for the clearing out of Cypress Creek, in the county of Duplin; which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. Fagg, of Buncombe, introduced a bill to incorporate "The French Broad Turnpike Company;" which was, on motion of Mr. Spruill, laid on the table.

Mr. Hill, of Caswell, introduced a bill to incorporate the Caswell Fire Insurance company, in the town of Milton, Caswell county, North Carolina.

Pending the reading of which,

On motion of Mr. Williams, of Warren, a message was ordered to be sent to the Senate, proposing to go *forthwith* into an election for United States Senator.

Mr. Caldwell, of Lincoln, moved that a message be sent to the Senate, proposing to go *forthwith* into an election for Attorney General.

Which motion was adopted—Yeas 60, nays 49.

A message was received from the Senate, agreeing to the proposition to vote for United States Senator *forthwith*, and informing the House that Messrs. Washington and Cannady will superintend the election on the part of the Senate.

Messrs. Albertson and Bryant form the committee on the part of the House, to superintend the election.

The House then proceeded to vote for United States Senator, with the following result:

FOR MR. DOBBIN.

Messrs. Avery, Barrett, Black, Bryant, Bynum of Northampton, Chesnut, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lockhart, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mooring, McNeill, Norfleet, Pegram, Phillips, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Ward, Waugh, Wheeler, Williams of Warren, Wilder and Wood—47.

FOR MR. SAUNDERS.

Messrs. Speaker, Allen, Brooks, Bynum of Chatham, Caldwell of Lincoln, Caldwell of Guilford, Cherry, Christmas, Erwin, Fagg, Foreman, Gwynn, Harris of Cabarrus, Harris of Davidson, Laach, Lowry, Love, Phillips, Puryear, Shimpock, Simons, Stubbs, Tolson, Tripp, Watters, Webb, Whitehurst and Wynne—28.

FOR MR. SHEPARD.

Messrs. Albertson, Barco, Collins, Cook, Cotton, Daniel, Eure, Godwin, Jones, Matthews, Sanders of Johnson, Spruill and Trexler—13

FOR MR. RAYNER.

Messrs. Alford, Carmichael, Dargan, Long of Randolph, Miller, Mills, Perkins and Smirh—8.

FOR MR. CLINGMAN.

Messrs. Blow, Bydr and Teague—3.

FOR MR. CRAIG.

Mr. Saunders of Wake and Adams —2.

FOR MR. GRAHAM.

Messrs. Calloway, Gaither, Thornburg and Turner of Iredell—4.

FOR MR. BAXTER.

Messrs. Furr and Styles—2.

FOR MR. BRYAN.

Mr. Johnson—1.

FOR MR. MOREHEAD.

Mr. McIntyre—1.

FOR MR. REID.

Mr. Amis—1.

FOR MR. GILLIAM.

Mr. Holeman—1.

FOR MR. BYNUM.

Mr. Wiley—1.

FOR MR. MCKAY.

Mr. McDugald—1.

FOR MR. GILMER.

Mr. Turner of Orange—1.

Mr. Albertson, from the Committee to superintend the election of United States Senator, made the following report ;

Which was concurred in:

That 164 votes were cast; that 83 were necessary for a choice—that Mr. Dobbin received 73 ; Mr. Saunders 35 ; Mr. Shepard 20 ; Mr. Rayner 13 ; Mr. Clingman 3 ; Mr. Craig 2 ; Mr. Graham 4 ; Mr. Baxter 2 ; Mr. Lillington 2 ; Mr. E. G. Reid 1 ; Mr. Gilliam 1 ; Mr. Brvant 1 ; Mr. McKay 1 ; Mr. Morehead 1 ; Mr. Gilmer 1 ; Mr. Ellis 1 ; Mr. Bynum 1 ; Mr. Thompson 1 ; and Mr. Mitchell 1 ; that as no one had received a majority of all the votes, there was no election.

A message was received from the Senate, informing the House that that body had laid on the table the proposition to go into an election for Attorney General forthwith.

The hour having arrived, the special order of the day was taken up.

Mr. Leach, of Davidson, moved to postpone the consideration of the resolutions, until to morrow 12 o'clock.

Which motion was lost.

Mr. Leach moved to postpone till Monday 12 o'clock.

Which motion did not prevail.

On motion of Mr. Caldwell, of Lincoln, the further consideration of the resolutions was deferred until one o'clock.

A message was received from the Senate, proposing to go forthwith into an election of United States Senator.

Mr. Caldwell, of Lincoln, moved to lay the proposition on the table.

Which motion was lost.

The proposition was concurred in, and Messrs. Erwin and Rives appointed to superintend the election, on the part of the House.

A message was received from the Senate, proposing to go into an election of Comptroller to morrow at 11 o'clock.

Which was read and laid on the table.

A message was received from the Senate, informing the House that Messrs. Herring and Washington form the Senate branch of the Committee to superintend the election of United States Senator, and that the Senate would vote on return of the messenger.

The House proceeded to vote with the following result.

FOR MR. DOBBIN.

Messrs. Avery, Barrett, Black, Bryant, Bynum of Northampton, Chesnutt, Corbett, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, Foreman, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lockhart, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mooring, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sauls, Scales, Spruill, Strange, Sutton, Walton, Ward, Waugh, Wheeler, Williams of Warren, Wilder and Wood,—48.

FOR MR. SAUNDERS.

Messrs. Speaker, Albertson, Allen, Brooks, Bynum of Chatham, Cherry, Christmas, Erwin, Fagg, Gwynn, Harris of Cabarrus, Harris of Davidson, Leach, Lowry, Love, Perkins, Phillips, Puryear, Shimpock, Simons, Stubbs, Tolson, Trexler, Watters, Webb, Whitehurst and Wynne—27.

FOR MR. SHEPARD.

Messrs. Barco, Caldwell of Guilford, Cook, Collins, Godwin, Matthews Sanders of Johnson, Spruill and Cotten—8.

FOR MR. RAYNER.

Messrs. Alford, Carmichael, and Williams of Greene—3.

FOR MR. CLINGMAN.

Messrs. Byrd, Mills, Styles and Teague—4.

FOR MR. CRAIG.

Messrs. Adams, and Saunders of Wake—2.

FOR MR. GRAHAM.

Messrs. Calloway, Gaither, Holemam, Johnson, Long of Randolph
Thornburg, Turner of Iredell—7.

FOR MR. WATTERS.

Mr. McIntyre—1.

FOR MR. THOMPSON.

Mr. Amis --1.

FOR MR. P. B HAWKINS.

Mr. Blow—1.

FOR MR. D. L. SWAIN

Mr. Wiley—1.

FOR MR. D. S. REID.

Mr. Caldwell of Lincoln,—1.

FOR MR. BLOW.

Mr. Collins--1.

FOR MR. BURTON.

Mr. Furr—1.

FOR MR. WHEELER.

Mr. Daniel--1.

FOR MR. COLLINS.

Mr. Jones,—1.

FOR MR. GREENE.

Mr. Dargan—1.

FOR MR. PHILLIPS.

Mr. Eure—1.

FOR MR. J. H. HAWKINS.

Mr. Smith,—1.

FOR MR. S. F. PATTERSON.

Mr. Wilder—1.

FOR MR. BANKS.

Mr. McDugald—1.

FOR MR. STUBBS.

Mr. Tripp—1.

FOR MR. JNO. H. BRYAN.

Mr. Turner of Orange—1.

Mr. Erwin, from the committee to superintend the election of United States Senator, made the following report ; which was concurred in :

That 165 votes were cast ; that 83 were necessary for choice—Mr. Dobbin received 75 ; Mr. Saunders 35 ; Mr.

Shepard 15; Mr. Graham 7; Mr. Rayner 9; Mr. Clingman 4; Mr. Lillington 1; Mr. Joyner 1; Mr. Craig 2; Mr. Watters 1; Mr. Thompson 1; Mr. P. B. Hawkins 1; Mr. Swain 1; Mr. Reid 1; Mr. Blow 1; Mr. Baxter 1; Mr. Wheeler 1; Mr. Collins 1; Mr. Greene 1; Mr. J. H. Hawkins 1; Mr. Phillips 1; Mr. Patterson 1; Mr. Banks 1; Mr. Stubbs 1; Mr. Bryan 1; that as no one had a majority of all the votes cast, there was no election.

The hour of one having arrived, the House resumed the consideration of the land resolutions of Mr. Leach.

Mr. Lander moved to strike out all after the "word whereas," and submit the resolutions offered by him a few days since as a substitute.

Pending the question on the amendment,

On motion of Mr. Spruill, of Bertie, the House adjourned.

SATURDAY, Nov. 27th, 1852.

The House resumed the consideration of the unfinished business of yesterday, the land resolutions of Mr. Leach, of Davidson.

The question pending, being the amendment proposed by Mr. Saunders of Wake.

Mr. Bynum, of Northampton, moved to amend by striking out all after the word "whereas," in the first line, and inserting the following :

We regard the opening of an inlet at Nag's Head, as a national measure, and one calculated to benefit not only the Commercial interests of the United States, but the interests of the people generally ;

And whereas, we consider this work as strictly within the limits of the Constitution,

Therefore, be it,

Resolved, That our Senators and Representatives, if in their opinion said work shall be practicable, are hereby instructed to apply for an appropriation of so much of the Public money, as may be necessary to open said inlet, at or near Nag's Head, in this State.

Resolved futher, That we are opposed to the policy of granting the Public lands to actual settlers, and of making large appropriations of the same to works of Internal Improvements within particular States, as unjust, unequal, and inpolitic, and our Representatives in Congress are hereby instructed to endeavor to prevent said policy, but if said policy should continue contrary to our wishes, and their exertions, then, and in that case, they are further instructed to make application for an appropriation of a fair and equitable portion of said lands, to the State of North Carolina, which, when so appropriated, shall be applied as the Legislature may direct."

Which amendment was rejected—Yeas 38, nays 68.

Mr. Rives, of Chatham, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Avery, Black, Blow, Bryant, Bynum of Northampton, Byrd, Chesnut, Corbett, Dobbin, Dobson, Dunn, Ellis, Fonville, George, Hawkins, Herriog, Hill of Duplin, Jarvis, Lockhart, Long of Caswell, Lyon of Orange, Martin, Marshall, Mooring, McNeill, Reid of Duplin, Reid of Rockingham, Rives, Russell, Scales, Sauls, Sherrill, Strange, Sutton, Ward, Wheeler, Wilder and Wood—38.

Those who voted in the negative, are:

Messrs. Adams, Alford, Allen, Amis, Barco, Brooks, Bynum of Chatham, Caldwell of Guilford, Caldwell of Lincoln, Calloway, Carmichael, Cherry, Collins, Cook, Cotten, Daniel, Dargan, Erwin, Eure, Fagg, Furr, Gaither, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Hill of Caswell, Holeman, Johnson, Jones, Lander, Leach, Long of Randolph, Lowry, Love, Matthews, Miller, Munday, McDugald, McIntyre, Norfleet, Pegram, Perkins, Phelps, Puryear, Sanders of Johnson, Saunders of Wake, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Teague, Thornburgh, Tolson, Trexler, Tripp, Turner of Iredell, Watters, Walton, Waugh, Webb, Whitehurst, Williams of Greene, Wiley and Wynne—68.

The question then recurring upon the amendments of Mr. Saunders, as modified by him,

Mr. Dobbin moved to amend the first resolution, by striking out, "or 500,000 acres of land."

Which amendment was adopted.

Mr. Dobbin moved to strike out, in the second resolution, "or by a deposit within the States of their proceeds."

Which amendment was rejected.

The hour for the special order or the day having arrived,

Mr. Collins moved to postpone, and make it the special order for Tuesday next.

Mr. Saunders, of Wake, moved to lay the motion to postpone on the table.

Which motion prevailed.

The House resumed the consideration of the land resolutions.

Mr. Avery, of Burke, moved the following amendment to the second resolution:

Strike out all after the word "Domain," and insert, "by a deposite with the States of their proceeds, after the public debt shall be fully discharged."

The consideration of the resolutions being suspended,

On motion of Mr. Spruill, of Bertie, it was

Resolved, That the Commons Hall be offered to-night to the friends of internal improvement, for the purpose of holding a meeting.

On motion of Mr. Cherry, of Bertie, it was ordered that the report of the treasurer be referred to the Committee on Finance.

On motion of Mr. Avery, of Burke, the bill to amend the act incorporating the Cape Fear and Deep River navigation was made the special order for Tuesday, 12 o'clock.

The land resolutions were again taken up, and pending further discussion,

On motion of Mr. Spruill, of Bertie, the House adjourned.

MONDAY, Nov. 29th, 1852.

The Speaker announced the committee on enrolled bills for the week to consist of Messrs. Harris, of Cabarrus, Sherrill, Lyon of Orange, Webb and Russell.

Mr. Spruill, of Bertie, moved that the consideration of the unfinished business of yesterday be suspended till 11 o'clock, and that the bill to charter the Bank of Roanoke be taken up.

Which motion prevailed.

Whereupon, the bill was read the second time and passed,

Mr. Miller, of Caldwell, leave being granted, introduced the following resolution, which was read and laid over under the rule:

Resolved, That the gentlemen in the House of Commons be allowed to get through their conversation, and that the House then proceed to business.

Mr. Smith, of Halifax, chairman, in behalf of the Select Committee, leave being granted, reported back to the House a bill to incorporate the Roanoke and Meherrin connection company, with an amendment, marked A., and recommended that the amendment be adopted, and the bill passed.

Whereupon, the bill was read the third time, amended and passed.

Mr. Hill, of Caswell, introduced a bill to incorporate the Caswell Fire Insurance company, in the town of Milton

Caswell county, North Carolina ; which was read the first time and passed

The Speaker presented the report of the Committee on Hospital for the Insane ; which, on motion of Mr. Martin, of Franklin, was ordered to be transmitted to the Senate, with a proposition to print.

Mr. Avery, of Burke, in behalf of the Committee on Internal Improvements, moved that leave be granted to make a report.

Which motion prevailed.

Whereupon, he reported back to the House a bill to incorporate the North Carolina and Tennessee Railroad company ; which, on motion, was laid on the table, and made the special order of the day for Tuesday, at 1 o'clock.

Mr. Love, of Haywood, moved to take from the table a bill to repeal an act passed at the session of 1850 '51, entitled an act to form a new county by the name of Jackson.

Which motion prevailed.

The hour of 11 o'clock, having arrived, the unfinished business of yesterday which was suspended until this hour, was resumed.

Mr. Love moved to lay the resolution and amendments on the table.

Which motion was lost.

The question pending, being the motion of Mr. Saunders to strike out all after the word "whereas" and insert the resolutions offered by him as an amendment,

Mr. Leach, of Davidson, called for a division of the question.

The question then being on the motion to strike out, it was decided in the negative—Yeas 43, nays 63.

Mr. Hill, of Caswell, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Avery, Barrett, Black, Bryant, Bynum of Northampton, Byrd, Chesnutt, Corbett, Dobbin, Dobson, Dortch, Dunn, Ellis, Fonville, George, Hawkins, Herring, Hill, of Caswell, Hill of Duplin, Jarvis, Lander, Lockhart, Long of Caswell, Lyon of Orange, Martin, Moor-ing, Munday, Norfleet, Reid of Duplin, Reid of Rockingham, Rives, Russell, Saunders of Wake, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Ward, Wheeler and Wilder—43

Those who voted in the negative are :

Messrs. Adams, Albertson, Alford, Amis, Barco, Blow, Brooks, Bynum of Chatham, Caldwell, of Guilford, Calloway, Carmichael, Cherry, Cook, Couen, Daniel, Dargan, Erwin, Eure, Fagg, Furr, Gaither, Godwin, Gwynn, Harris of Cabarrus, Harris, of Davidson, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Marshall, Miller, McDugald, McIntyre, Perry, Perkins, Phelps, Phillips, Puryear, Sanders of Johnson, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Teague, Thurnburgh, Tulson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Waters, Waugh, Webb, Whitehurst, Williams of Greene, Wiley, Wood and Wynne—63.

Mr. Saunders, of Wake, moved the following amendment to the first resolution, which was rejected :

Insert after the word “application” the words “for a fair and equal distribution of Public Lands, or for a distribution and deposite with the States of the proceeds thereof, to be disposed of in such measure, as the respective Legislatures may direct.”

Mr. Strange, of New Hanover, moved to amend the first resolution by striking out after the word “resolved” the

words "that our Senators and Representatives in Congress," and insert "that our Senators be instructed and our Representatives."

Which amendment was rejected—Yeas 53, nays 57.

Mr. Strange demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Allen, Avery, Barrett, Back, Bryant, Bynum of Northampton, Byrd, Chesnutt, Corbett, Dobbin, Dobson, Dunn, Ellis, Fonville, Foreman, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Lander, Lockhart, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mills, Mooring, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sauls, Scales, Sherrill, Smith, Strange, Sutton, Walton Ward, Waugh, Wheeler, Wilder and Wood—53,

Those who voted in the negative are :

Messrs. Adams, Alberison, Alford, Amis, Barco, Blow, Brooks, Bynum, of Chatham, Caldwell of Guilford, Calloway, Carmichael, Cherry, Collins, Cook, Cotton, Daniel Dargan, Erwin, Eurr, Fagg, Furr, Gaither, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Johnson, Jones, Leach, Long of Randolph, Lowry, Matthews, Miller, McDugald, McIntyre, Perry, Perkins, Phillips, Saunders of Wake, Shimpock, Simms, Spruill, Styles, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watters, Webb, Whitehurst, Williams of Greene and Wiley—57.

Mr. Smith, of Halifax, moved to amend the resolution by inserting after the words "Public Lands," the words "or of the proceeds thereof;" which amendment being accepted by Mr. Leach, and the question being on the passage of the resolution as amended,

Mr. Saunders demanded a division of the resolution.

The question being then put—shall the first part of the resolution, as divided, pass? viz :

"That our Senators and Representatives in Congress, be requested to make application by bill or otherwise, to that

body, for an appropriation of a fair and equitable portion of the Public Lands.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Allen, Amis, Barco, Brooks, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Cherry, Collins, Cook, Cotten, Daniel, Dargan, Dobson, Dortch, Erwin, Eure, Fagg, Furr, Foreman, Gaither, Gwynn, Harris of Cabarrus, Harris of Davidson, Hill of Caswell, Holeman, Jarvis, Johnson, Jones, Leach, Long of Caswell, Long of Randolph, Lowry, Love, Lyon, of Granville, Lyon of Orange, Marshall, Matthews, Miller, Mills, Munday, McDugald, McIntyre, McNeill, Pegram, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Saunders of Wake, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watters, Walton, Waugh, Webb, Whitehurst, Williams of Greene, Wiley, and Wood—76.

Those who voted in the negative are :

Messrs. Allen, Avery, Barrett, Blow, Bryant, Bynum of Northampton, Byrd, Chesnutt, Corbett, Dobbin, Dunn, Ellis, George, Hawkins, Her, ring, Lander, Lockhart, Martin, Mooring, Norfleet, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Sauls, Scales, Sherrill, Strange, Sutton, Wheeler, Wilder and Wynne—32.

The question then recurring—shall the second division of the resolution pass?

It was decided in the affirmative—Yeas 64, nays 45.

Mr. Hill, of Caswell, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Amis, Barco, Brooks, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Cherry, Collins, Cook, Cotten, Daniel, Dargan, Erwin, Fagg, Furr, Gaither, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Love, Lyon of Orange, Marshall, Matthews, Miller, Mills, Munday, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Shimpock, Simons, Spruill, Styles, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watters, Webb, Whitehurst, Williams of Greene, Wiley, Wood and Eure—64.

Those who voted in the negative, are :

Messrs. Allen, Avery, Barrett, Black, Blow, Bryant, Bynum of Northampton, Byrd, Chesnut, Corbett, Dobbin, Dobson, Dunn, Ellis, Foreman, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Long of Caswell, Lyon of Granville, Martin, Mooring, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Saunders of Wake, Sauls, Seales, Sherrill, Strange, Walton, Ward, Waugh, Wheeler, Wilder and Wynne—45.

Mr. Love, of Haywood, moved to adjourn.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Allen, Amis, Avery, Barco, Carmichael, Dargan, Dobbin, Dorich, Erwin, Fagg, George, Leach, Love, Mooring, Norfleet, Perry, Phelps, Reid of Duplin, Strange, Teague, Tripp, Turner of Orange, Watters, Webb, Wheeler, Whitehurst, Wiley and Wilder—29.

Those who voted in the negative, are :

Messrs. Albertson, Alford, Barrett, Black, Blow, Brooks, Bryant, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of Guilford, Cherry, Chesnut, Collins, Corbett, Daniel, Dobson, Dunn, Eure, Furr, Gauthier, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Johnson, Jones, Lander, Long of Caswell, Long, of Randolph, Lowry, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Munday, McDugald, McIntyre, McNeill, Pegram, Perkins, Phillips, Puryear, Reid of Rockingham, Rives, Saunders of Wake, Sanders of Johnson, Sauls, Sherrill, Shimpock, Simons, Smith, Spruill, Stubbs, Thornburg, Tolson, Trexler, Turner, of Iredell, Walton, Ward, Waugh, Williams of Greene, Wood, Wynne and Calloway—75.

Mr. Tolson, of Anson, moved that the House take a recess until half-past 3 o'clock.

Which motion was rejected.

On motion of Mr. Amis, the House adjourned.

TUESDAY, Nov. 30th, 1852.

The House resumed the consideration of the unfinished business of yesterday—the Senate bill repealing the county of Jackson, the question pending being the amendment proposed by Mr. Love, of Haywood, as a substitute for the bill.

Mr. Avery, of Burke, moved to suspend the consideration until a message from the Senate could be considered.

A message was received from the Senate, proposing to ballot for United States Senator, at half-past 11 o'clock.

Mr. Cherry moved to lay the message on the table.

Which motion prevailed—Yeas 59, nays 53.

Mr. Dobson, of Surry, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Amis, Avery, Barco, Brooks, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Cherry, Cook, Cotten, Daniel, Dargan, Erwin, Eure, Fagg, Furr, Gaither, Godwin, Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Matthews, Miller, Mills, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Shimpock Simons, Smith, Styles, Stubbs, Teague, Thornburgh, Tolson, Tripp, Trexler, Turner of Iredell, Turner of Orange, Watters, Webb, Whitehurst, Williams of Greene, Wiley and Wynne—59.

Those who voted in the negative, are :

Messrs. Allen, Avery, Barrett, Black, Blow, Bryant, Bynum of Northampton, Byrd, Chesnut, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, George, Hawkins, Herring, Hill of Cas-

well, Hill of Duplin, Jarvis, Lander, Lockhart, Long of Caswell, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mooring, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Ward, Waugh, Wheeler, Williams of Warren, Wilder and Wood—53.

The House resumed the consideration of the unfinished business—the question pending, being the amendment proposed by Mr. Love. The question was put, and the amendment was adopted.

Mr. Phillips, of Orange, moved a reconsideration of the vote just taken.

Which motion prevailed.

The hour for the consideration of the bill to amend an act and the supplement thereto, entitled an act to improve the Cape Fear and Deep River Navigation company, having arrived,

On motion of Mr. Avery, of Burke, the consideration was postponed until half past 3 P. M.

The question then recurring on the amendment to the bill to repeal Jackson county, it was decided in the affirmative—Yeas 69, nays 36.

Mr. Smith demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Allen, Avery, Barrett, Black, Byrd, Calloway, Carmichael, Cook, Corbett, Dargan, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Erwin, Fagg, Fonville, Furr, Galther, George, Gwynn, Harris of Davidson, Hill of Caswell, Hill of Duplin, Johnson, Lander, Laach, Long of Randolph, Lowry, Love, Lyon of Orange, Marshall, Matthews, Miller, Mills, Munday, McDugald, McNeill, Pegram, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Sherrill, Shimpoek, Styles, Strange, Sutton, Teague, Thornburg, Tolson, Trexler, Turner of Orange, Walton, Ward, Waugh, Webb, Wheeler, Williams of Greene and Wood—69.

Those whoted in the negative, are :

Messrs. Albertson, Alford, Amis, Barco, Blow, Bryant, Bynum of Northampton, Caldwell of Guilford, Cherry, Chesnut, Collins, Daniel, Eure, Godwin, Harris of Cabarrus, Hawkins, Herring, Holeman, Jarvis, Jones, Lockhart, Long of Caswell, Lyon of Granville, Martin, Mooring, Norfleet, Perry, Perkins, Phelps, Simons, Smith, Spruill, Stubbs, Tripp, Williams of Warren, Wilder and Wynne—37.

The question then recurring—shall the bill as amended pass? it was decided in the affirmative—Yeas 72, nays 35.

Mr. Cherry, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Adams, Allen, Avery, Barrett, Black, Bynum, of Chatham, Byrd, Calloway, Carmichael, Cook, Corbett, Dargan, Dohbin, Dobson, Dorich, Dunn, Durham, Ellis, Edwin, Fagg, Fonville, Furr, Gaither, George, Gwynn, Harris of Davidson, Hill of Caswell, Hill of Duplin, Johnson, Lander, Leach, Long of Randolph, Lowry, Love, Lyon of Orange, Marshall, Matthews, Miller, Mills, Munday, McDugald, McNeill, Pegram, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Saunders of Wake, Sauts, Seales, Sherrill, Shimpock, Styles, Strange, Sutton, Teague, Thornburg, Tolson, Trexler, Turner of Iredell, Turner of Orange, Walton, Ward, Waugh, Webb, Wheeler, Williams of Greene, Wilder and Wood—72,

Those who voted in the negative are :

Messrs. Albertson, Alford, Amis, Barco, Blow, Bryant, Bynum of Northampton, Caldwell of Guilford, Cherry, Chesnut, Collins, Daniel, Eure, Godwin, Harris of Cabarrus, Hawkins, Herring, Holeman, Jarvis, Jones, Lockhart, Long of Caswell, Lyon of Granville, Martin, Mooring, Norfleet, Perry, Perkins, Phelps, Smith, Spruill, Stubbs, Tripp, Williams of Warren and Wynne.—35.

The special order of the day for 1 o'clock, the bill to incorporate the North Carolina and Tennessee Railroad company, was, on motion of Mr. Avery, of Burke, postponed until Tuesday 12 o'clock, and made the special order for that time.

Which was read and accepted.

A message was received from the Senate, transmitting the following engrossed resolution and bills; which were severally read the first time and passed:

1st. A resolution in favor of abolishing duties on Railroad iron ;

2nd A bill entitled an act, to amend an act concerning the draining of low lands ;

3rd. A bill to incorporate the Trustees of the Wesleyan Female College ;

4th. A bill to amend the Charter of Davidson College ;

5th. A bill to incorporate the Bladen Steamboat Company ;

6th. A bill to incorporate the Bank of Charlotte ;

7th. A bill to incorporate the Bank of Charlotte, was referred to the Committee on the Judiciary.

— On motion, the bill to incorporate the Atlantic and North Carolina Railroad company, was taken from table and made the special order for to-morrow 11 o'clock.

Mr. Erwin, of Burke, moved to adjourn.

Mr. Smith, of Halifax, demanded the yeas and nays.

Pending which, the House took a recess.

TUESDAY AFTERNOON, Nov. 30th, 1852.

The question pending, being on the motion to adjourn of Mr. Erwin, it was decided in the negative—Yeas 3, nays 93.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Dargan, Norfleet, and Tripp—3.

Those who voted in the negative are:

Messrs. Adams, Alford, Allen, Avery, Barco, Barrett, Black, Blow, Bryan, Bynum of Chatham, Bynum of Northampton, Byrd, Calloway, Carmichael, Chesnut, Collins, Cook, Cotten, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Erwin, Fagg, Fonville, Furr, Gaither, George, Godwin, Gwynn, Harris, of Davidson, Hawkins, Herring, Hill, of Caswell, Hill of Duplin, Holman, Jarvis, Johnson, Jones, Lockhart, Long of Caswell, Long of Randolph, Lowry, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Munday, McDugald, McIntyre, Perkins, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Saunders of Wake, Sauls, Seales, Sherrill, Simpson, Sumners, Smith, Styles, Strange, Sutton, Teague, Thornburgh, Tolson, Trexler, Turner of Redell, Turner of Orange, Walton, Waugh, Webb, Wheeler, Whitehurst, Williams of Greene, Williams of Warren, Wiley, Wilder, Wood and Wynne—93.

The House resumed the consideration of the bill to amend an act, and supplement thereto, entitled an act to improve the Cape Fear and Deep Rivers above Fayetteville.

The question pending being the amendment proposed by the committee.

Mr. McNeill moved to postponed the bill until Thursday one o'clock.

Which was read and accepted.

A message was received from the Senate, transmitting the following engrossed resolution and bills; which were severally read the first time and passed:

1st. A resolution in favor of abolishing duties on Railroad iron;

2nd A bill entitled an act, to amend an act concerning the draining of low lands;

3rd. A bill to incorporate the Trustees of the Wesleyan Female College;

4th. A bill to amend the Charter of Davidson College;

5th. A bill to incorporate the Bladen Steamboat Company;

6th. A bill to incorporate the Bank of Charlotte;

7th. A bill to incorporate the Bank of Charlotte, was referred to the Committee on the Judiciary.

— On motion, the bill to incorporate the Atlantic and North Carolina Railroad company, was taken from table and made the special order for to-morrow 11 o'clock.

Mr. Erwin, of Burke, moved to adjourn.

Mr. Smith, of Halifax, demanded the yeas and nays.

Pending which, the House took a recess.

TUESDAY AFTERNOON, NOV. 30th, 1852.

The question pending, being on the motion to adjourn of Mr. Erwin, it was decided in the negative—Yeas 3, nays 93.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Dargan, Norfleet, and Tripp—3.

Those who voted in the negative are:

Messrs. Adams, Alford, Allen, Avery, Barco, Barrett, Black, Blow, Bryant, Bynum of Chatham, Bynum of Northampton, Byrd, Calloway, Carmichael, Chesnutt, Collins, Cook, Cotten, Corbett, Dobbin, Dobson, Dortch, Dunn, Dorman, Ellis, Erwin, Fagg, Fonville, Furr, Gaither, George, Godwin, Gwynn, Harris, of Davidson, Hawkins, Herring, Hill, of Caswell, Hill of Duplin, Holman, Jarvis, Johnson, Jones, Lockhart, Long of Caswell, Long of Randolph, Lowry, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Munday, McDugald, McIntyre, Perkins, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Saunders of Wake, Sauls, Seales, Sherrill, Shumpack, Simons, Smith, Styles, Strange, Sutton, Teague, Thornburgh, Tolson, Trexler, Turner of Fredell, Turner of Orange, Walton, Waugh, Webb, Wheeler, Whitehurst, Williams of Greene, Williams of Warren, Wiley, Wilder, Wood and Wynne—93.

The House resumed the consideration of the bill to amend an act, and supplement thereto, entitled an act to improve the Cape Fear and Deep Rivers above Fayetteville.

The question pending being the amendment proposed by the committee.

Mr. McNeill moved to postpone the bill until Thursday one o'clock.

Which motion was rejected.

Mr. Saunders, of Wake, moved an amendment by adding the following section to come in after the 5th section of the bill.

6th Sec. *Be it further enacted*, That no portion of the money herein authorized to be subscribed on the part of the State, shall be paid until the entire work yet to be done, shall have been taken by contractors, and bond and security for the faithful execution and completion of the entire work, for the additional sum of one hundred and fifty thousand, herein, before authorized, shall be given, to be approved by the Governor and Attorney General.

Mr. Fagg, of Buncombe, moved to postponed the further consideration of the bill until Wednesday the 8th of December, 12 o'clock.

Pending which motion the House adjourned.

WEDNESDAY, Dec. 1st, 1852.

Mr. Ellis, of _____, leave being granted, introduced a bill to establish a county by the name of Weldon.

Which was read the first time, passed and referred to the Committee on Propositions and Grievances.

The House resumed the consideration of the unfinished business of yesterday.

Mr. Amis moved to lay on the table.

Which motion was rejected—Yeas 40, nays 55.

The question being taken on the motion of Mr. Fagg, to postpone until Wednesday next,

It was rejected—Yeas 40, nays 53.

The hour for the special order of the day, "the bill to incorporate the Atlantic and North Carolina Railroad company," having arrived, it was, on motion of Mr. Reid, of Duplin, laid on the table.

The Speaker announced that a message had been received from the Senate, proposing to go into ballot for United States Senator at 11 o'clock.

Mr. Reid, of Duplin, moved that the bill before the House be laid on the table, and the message considered.

Which was rejected—Yeas 44, nays 50.

The House refused to lay on the table.

The Speaker announced a message from his Excellency the Governor relative to the electors of President and Vice President; which was read, and on motion ordered to be transmitted to the Senate.

The question pending being the amendment of Mr. Saunders, of Wake.

On motion of Mr. Avery, of Burke, the House adjourned.

THURSDAY, Dec. 2nd 1852.

Mr. Avery, of Burke, moved to postpone the further consideration of the bill concerning the Cape Fear and Deep River Navigation company until 12 o'clock.

Which motion was rejected.

The question then recurring on the amendment proposed by Mr. Saunders, it was adopted.

Mr. Dobbin, of Cumberland, moved the following amendment.

And be it further enacted, That the money authorized by this act shall, as far as practicable, be in good faith so expended and appropriated, that the lock and dam, near the mouth of Cross Creek, in Cumberland county, known as the Cross Creek lock and dam, shall be the first work finished; then the lock and dam, known as Jones' falls lock and dam, then the Silver Run lock and dam, then the Red Rock lock and dam, and the other locks and dams along Cape Fear and Deep River, until the whole shall have been accomplished; and that the Treasurer shall not pay over the second instalment, provided for, in this act, to be subscribed and paid by the Treasurer of the State, until evidence shall have been adduced to the satisfaction of the Governor and Treasurer, that the money appropriated by this act has been expended as provided for in this section.

On motion of Mr. Avery, of Burke, the bill was laid on the table.

A message was received from the Senate, proposing to go into an election for United States Senator to day at half past eleven o'clock.

Which was concurred in,

And Messrs. Watters and Norfleet appointed to superintend the election, on the part of the House.

On motion of Mr. Dobbin, the bill concerning the Cape Fear and Deep River Navigation company, was taken from the table.

Mr. Fagg, of Buncombe, moved that the bill be postponed until Thursday next, and made the special order for twelve o'clock that day.

Which motion was lost.

The amendment of Mr. Dobbin was then adopted.

On motion of Mr. McDugald, the bill was laid on the table, and a message was ordered to be sent to the Senate, proposing to go into an election for Attorney General, at half-past 12 o'clock.

On motion of Mr. Spruill, of Burke, a message was ordered to be sent to the Senate, proposing to go into an election for Superior Court Judge, to day at 1 o'clock.

On motion of Mr. McDugald, the bill concerning the Cape Fear and Deep River Navigation company was taken from the table.

The amendment proposed by the committee was adopted.

The hour to carry out the joint order of the two Houses having arrived, a message was received from the Senate, informing the House that Messrs Kelly and Drake would superintend the election of United States Senator, on the part of the Senate.

The House then proceeded to vote for United States Senator, with the following result:

FOR MR. DOBBIN.

Messrs. Avery, Barrett, Black, Bryant, Bynum of Northampton, Chesnut, Corbett, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, George, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lockhart, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Moor, ing, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Ward, Waugh, Wheeler, Williams, of Warren, Wilder and Wood, Allen, Foreman—49.

FOR MR. SAUNDERS.

Messrs. Speaker, Albertson, Brooks, Caldwell, of Guilford, Caldwell of Lincoln, Carmichael Cherry, Christmas, Daniel, Erwin, Fagg, Gwynn Harris of Davidson, Leach, Lowry, Love, Perkins, Phillips, Puryear, Shimpock, Simons, Stubbs, Tolson, Trexler, Tripp, Turner of Iredell Whitehurst, and Wynne—28.

FOR MR. SHEPARD.

Messrs. Collins, Cook, Cotten, Godwin, Matthews, and Spruill—6.

FOR MR. CLINGMAN.

Messrs. Biow, Bynum of Chatham, Byrd Mills, Styles and Teague,—6

FOR MR. GRAHAM.

Mr. Holman—1.

FOR MR. RAYNER.

Messrs. Turner and McDugald—2.

FOR MR. CRAIG.

Mr. Saunders of Wake and Adams —2.

FOR MR. JONES.

Mr. Smith—1.

FOR MR. OSBORNE.

Mr. Johnson—1.

FOR MR. THOMPSON.

Messrs. Jones and McIntyre—2.

FOR MR. MILLER.

Mr. Sanders of Johnson and Mr. Williams of Green—2.

FOR MR. KERR.

Mr. Gaither—1.

FOR MR. JOYNER.

Mr. Amis—1.

FOR MR. MOREHEAD.

Mr. Harris of Davidson—1.

FOR MR. COLLINS.

Mr. Eure—1.

FOR MR. BYNUM.

Messrs Webb and Wiley—2.

FOR MR. PATTERSON.

Messrs. Calloway and Miller—2.

FOR MR. EDWARDS.

Messrs. Hawkins and Turner of Orange—2.

A message was received from the Senate, informing the House that the Senate had laid on the table the proposition to ballot for Attorney General, at half-past three o'clock.

Also, a message informing the House that the Senate had laid on the table the proposition to ballot for Judge of the Supreme Court, at 1 o'clock.

Mr Norfleet, from the committee to superintend the election of United States Senator, made the following report,

Which was concurred in:

That 164 votes were cast; that 83 were necessary for a choice—that Mr. Dobbin received 76; Mr. Saunders 33; Mr. Shepard 10; Mr. Thompson 10; Mr. Rayner 7; Mr. Graham 6; Mr. Clingman 6; Mr. Baxter 2; Mr. Craig 2; Bynum 2; Mr. Patterson 2; Mr. Edwards 2; Mr. Miller 2; Mr. Jones 1; Mr. Kerr 1; Mr. Joyner 1; Mr. Morehead 1; Mr. Cotten 1; and that as no one had received a majority of all the votes, there was no election.

The House resumed the consideration of the bill concerning the Cape Fear River Navigation company.

And the question recurring—shall the pass its second reading? it was decided in the affirmative—Yeas 69, nays 44.

Mr. Marshall, of Stokes, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Allen, Amis, Avery, Bynum of Chatham, Byrd, Caldwell of Guilford, Caldwell of Lincoln, Calloway, Carmichael, Cherry, Chesnut, Christmas, Collins, Cook, Cotten, Corbett, Dargan, Dobbin, Dobson, Erwin, Fonville, George, Gwynn, Harris of Cabarrus, Hartis of Davidson, Hawkins, Herring, Hill of Caswell, Holeman, Johnson, Long of Caswell, Long of Randolph, Lowry, Love, Munday, McDugald, McIntire, McNeil, Pagram, Perkins, Phelps, Phillips, Puryear, Rives, Russell, Saunders of Wake, Scales, Shimpock, Simons, Smith, Spruill, Strange, Sutton, Thornburgh, Trexler, Tripp, Turner of Iredell, Turner of Orange, Waters, Walton, Ward, Whitehurst, Williams of Warren, Wiley, Wilder, Wood and Wynne—69.

Those who voted in the negative, are :

Messrs. Alford, Barco, Barrett, Black, Blow, Brooks, Bryant, Bynum of Northampton, Daniel, Dortch, Dunn, Durham, Ellis, Eure, Fagg, Foreman, Furr, Gaither, Godwin, Hill of Duplin, Jarvis, Jones, Lauder, Leach, Lockhart, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Norfleet, Reid of Dupin, Reid of Rockingham, Sanders of Johnson, Sauls, Sherrill, Styles, Teague, Tolson, Waugh, Webb and Williams of Greene—44.

A message was received from the Senate, proposing to ballot for United States Senator *forthwith*.

Mr. Dargan moved to lay the message on the table.

Which motion was lost—Yeas 54, nays 59.

Mr. Caldwell, of Guilford, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Alford, Amis, Barco, Brooks Byrd, Caldwell of Guilford, Caldwell of Lincolo, Calloway, Cartoichael, Cherry, Collins, Cook, Daniel, Dargan, Erwin, Eure, Fagg, Furr, Gaither, Gwynn, Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Love, Matthews, Miller, McDuga'd, McIntyre, Perkins, Puryear Shimpock, Simons, Smith, Sprui l, Styles, Stubbs, Teague, Thornburg, Trexler, Tripp, Turner of Iredell, Turner of Orange, Waters, Webb, Whitehurst, Wiley, and Wynne—54.

Those who voted in the negative are :

Messrs. Avery, Barrett, Blow, Bryant, Bynum of Northampton, Chesnut, Chriatmas, Cotten, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis Fonville, Foreman, George, Godwin, Hawkins, Herring, Hill of Caswell, Jarvis, Lander, Lockhart, Long of Caswell, Lyon, of Granville, Lyon of Orange, Martin, Marshall, Mills, Mooring, Munday, McNeill, Norfleet, Pegram Phelps, Phillips, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Johnsoo, Sauls, Scales, Sherrill, Strange, Sutton, Tolsoo, Walton, Ward, Waugh, Wheeler, Williams of Greeoe, Williams of Warren, Wilder, Wood, Allen and Hill of Duplin—59.

The message was then concurred in—Yeas 56, nays 46.

And Messrs. Scales and Adams appointed to superintend the election on the part of the House.

On motion of Mr. Avery, of Burke, the special order of the day, the bill to incorporate the North Carolina and Tennessee Railroad company, was postponed and made the special orfor to morrow 12 o'clock.

On motion of Mr. Leach, of Davidson, the bill relating to Normal College, was referred to the Committee on Education.

A message was received from the Senate, informing the House that Messrs. Drake and Kelly would superintend the election of Senator on the part of the Senate.

The House then proceeded to vote with the following result:

FOR MR. DOBBIN.

Messrs. Allen, Avery, Barrett, Black, Bryant, Bynum of Northampton, Chesnut, Corbett, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, Foreman, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lockhart, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mooring, Munday, McNeill, Norfleet Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sauls, Scales, Sherill, Strange, Sutton, Walton, Ward, Waugh, Wheeler, Williams of Warren, Wilder and Wood,—50.

FOR MR. SAUNDERS.

Messrs. Speaker, Albertson, Brooks, Caldwell of Guilford, Caldwell of Lincoln, Carmichael, Cherry, Christmas, Collier, Daniel, Erwin, Eure, Fagg, Gwynn, Harris of Cabarrus, Harris of Davidson, Jones, Leach, Lowry, Love, Perkins, Phillips, Puryear, Shimpock, Simons, Stubbs, Tolson, Trexler, Tripp, Turner of Irrell, Watters, Whitehurst and Wynne—33.

FOR MR. SHEPARD.

Messrs. Barco, Cotten, Cook, Godwin, Sanders of Johnson, and Spruill—6.

FOR MR. RAYNER.

Messrs. Alford, Dargan, Long of Randolph, Miller, McIntyre, and Thornburg—6.

FOR MR. CLINGMAN.

Messrs. Bynum of Chatham, Byrd, Mills, Styles and Teague—5.

FOR MR. BAXTER.

Messrs. Furr, Turner of Orange, Williams of Greene—3.

FOR MR. LILLINGTON.

Mr. Adams—1.

FOR MR. WOODFIN.

Mr. Amis—1.

FOR MR. DANCEY.

Mr. Blow—1.

FOR MR. PATTERSON.

Mr. Calloway—1.

FOR MR. BARNES.

Mr. Wiley—1.

FOR MR. CRAIG.

Messrs. Gaither and Saunders of Wake—2.

FOR MR. THOMPSON.

Messrs. Holeman, and Johnson,—2.

FOR MR. HARRIS.

Mr. Smith,—1.

FOR MR. BYNUM.

Messrs. McDugald and Webb—2.

On motion of Mr. Marshall, of Stokes,

Resolved, That a message be sent to the Senate, proposing to set apart the afternoon of Saturday the 11th inst. for the appointment of Justies of the Peace.

On motion of Mr. Cook, of Wilkes, a bill to lay off and establish a new county by the name of "Blue Ridge," and to attach a part of Stokes county, to the county of Surry, was taken up, and made the special order for Tuesday next at 11 o'clock.

Mr. Smith, of Halifax, introduced the following resolution,

Which was read and laid over under the rule,

Resolved, That from and after Friday, the 3rd of December, the House of Commons devote the afternoon sessions to the receptions of petition, memorials, resolutions, and bills; and to the passing of bills and resolutions through their third readings.

A message was received from the Senate, proposing to raise a joint select committee of three on the part of each House to designate the time and manner of comparing and counting votes, cast for Governor, at the last August election; which proposition was concurred in, and Messrs. Stubbs, Lockhart and Shumpock, appointed the committee on the part of the House.

On motion of Mr. Leach, of Davidson, the bill to incorporate the Atlantic and North Carolina Railroad company was made the special order of the day for half past three o'clock.

Mr. Adams, from the committee to superintend the election of United States Senator, submitted the following report, which was concurred in:

That 166 votes were cast—that 84 were necessary for a choice; that Mr. Dobbin received 77; Mr. Saunders 43; Mr. Shepard 26; Mr. Rayner 10; Mr. Clingman 5; Mr.

Thompson 8; Mr. Baxter 3; Mr. Craig 2; Mr. Bynum 2; and Messrs. Graham, Lillington, Woodfin, Dancey, Patterson, Barnes and Harris, one each; that as no one had received a majority of all the votes cast, there was no election.

On motion of Mr. Blow, of Pitt, a message was ordered to be sent to the Senate, proposing to go into an election of Attorney General, at half past 1 o'clock.

Mr. Waugh, of Stokes, moved that a message be sent to the Senate, proposing to go into an election of United States Senator, *forthwith*.

Mr. Caldwell, of Lincoln, moved to lay the motion on the table.

Which was lost—Yeas 50, nays 62.

Mr. Waugh demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Amis, Barco, Brooks, Caldwell of Guilford, Caldwell of Lincoln, Calloway, Carmichael, Cherry, Christmas, Collins, Cook, Daniel, Dargan, Erwin, Eure, Fagg, Furr, Gaither, Gwynn, Harris, of Cabarrus, Harris of Davidson, Johnson, Jones, Leach, Long, of Randolph, Lowry, Matthews, Miller, McDugald, Perkins, Phillips, Shimpock, Simons, Smith, Spruill, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Turner, of Iredell, Watters, Webb, Whitehurst, Wiley and Wynne—50.

Those who voted in the negative, are :

Messrs. Allen, Avery, Barrett, Black, Blow, Bryant, Bynum of Northampton, Byrd, Chesnut, Cotten, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, George, Godwin, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Lander, Lockhart, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mills, Mooring, Munday, McIntyre, McNeill, Norfleet, Pegram, Phelps, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Sauls, Scales, Sherrill, Styles, Strange, Sutton, Walton, Ward, Waugh, Williams of Greene, Williams of Warren, Wilder Wheeler and Wood—62.

Mr. Waugh, by general consent, withdrew his motion.

A message was received from the Senate, informing the House that that body had laid on the table the proposition to vote for Attorney General, at half past one o'clock.

On motion of Mr. Dortch, of Wayne, a message was ordered to be sent to the Senate, proposing to vote for Supreme Court Judge, to-morrow, at half-past 11 o'clock.

A message was received from the Senate, informing the House that Messrs. Boyd, Washington and Bunting form the Senate branch of the committee on comparing the vote for Governor.

The annual report of the Bank of Fayetteville was presented by the Speaker; and, on motion, it was ordered to be transmitted to the Senate, with a proposition to print.

A message was received from the Senate, concurring in the proposition to vote for Supreme Court Judge, to-morrow at half-past 11 o'clock; and informing the House that Messrs. Thompson and Clark form the Senate branch of the committee to superintend the election.

The following engrossed bills from the Senate were severally read the first time and passed :

1st. A bill to ascertain the whole amount of taxes paid by the people of North Carolina ;

2d. A bill to increase the capital stock of the bank of Wadesborough ;

3d. A bill to incorporate the Kingbury and Locksville Plank road company ;

4th. A bill to declare what persons may intermarry.

An engrossed resolution in favor of Charles Sully Wheeler was read the first, second and third times, passed and ordered to be enrolled.

An engrossed bill from the Senate to amend an act entitled an act to incorporate Union Institute, a Normal College, was read the first time, passed and referred to the Committee on Education.

An engrossed bill from the Senate, to amend an act incorporating the Raleigh Savings' Institution, was read the first, second and third times, passed and ordered to be enrolled.

AFTERNOON SESSION.

The House took up the special order—the bill to incorporate the Atlantic and North Carolina railroad.

Mr. Williams, of Warren, moved the following amendment; which was rejected—Yeas 36, nays 68:

Strike out all between the words “to wit,” in the 14th line of the 34th section, and the word “and,” in the 23d line of the same.

Mr. Dortch of Wayne, moved the following amendment; which was adopted:

34th section, 23rd line, insert after the word “subscription” the words “and shall not be sold for less than par.”

Mr. Holeman, of Person, moved to amend by striking out 38th and 39th sections of the bill.

Which amendment was rejected—Yeas 35, nays 70.

The question then recurring—shall the bill pass? it was decided in the affirmative—Yeas 56, nays 52.

Mr. Saunders, of Wake, moved to suspend the rule requiring the bill to lay on the table one day.

Which motion prevailed, and the bill was ordered to be engrossed.

On motion, the House adjourned

FRIDAY, Dec. 3rd, 1852.

Mr. McDugald moved to take from the table the bill to increase the capital stock of the Bank of Wadesborough.

Which motion was lost.

On motion of Mr. Reid, of Duplin, the House resolved it self into Committee of the whole, on the Judiciary bill.

Mr. Cherry, of Bertie, in the Chair—The committee rose, reported the bill back to the House, and asked to be discharged from its further consideration.

On motion of Mr. Reid, the bill was laid on the table, and made the special order for Wednesday next at 11 o'clock.

Mr. Bynum, of Northampton, introduced a bill to authorize the union of the Greenville and Roanoke Railroad company, with the Petersburg Railroad company; which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Hill, of Caswell, introduced a bill to incorporate the Caswell Plank Road Company; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Lander, of Lincoln, introduced a bill to incorporate Lincoln Division of the Sons of Temperance, in the town of Lincoln; which was read the first time and passed.

Mr. Lander, of Lincoln, introduced a bill to incorporate Catawba Lodge, No, 41, of the Independent Order of Odd Fellows; which was read the first time and passed.

Mr. Dargan, of Anson, introduced a bill to make compensation to Justices of the Peace, and for other purposes; which was read the first time and passed, and made the order of the day for Thursday next 12 o'clock.

Mr. Reid, of Duplin, introduced a bill to lay off this State into fifty Senatorial Districts; which was read the first time, and passed, and made the order of the day, for Thursday next at 12 o'clock.

Mr. Harris, of Davidson, introduced a bill prescribing how persons shall be prosecuted for keeping insufficient fences; which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Carmichael, of Wilkes, introduced a bill to lay off a public road from Enoch Vannoy's Mill, in Wilkes county, to the Virginia Line; which was read the first time and passed.

On motion of Mr. Smith, of Halifax, the resolution introduced by him yesterday, was taken up and adopted.

Mr. McDugald, of Bladen, introduced a bill concerning the place of trial for civil process, returnable before Justices of the Peace; which was read the first time, passed and referred to the Committee on the Judiciary.

The Speaker announced the resignation of C. McMillan as a Justice of the Peace, for the county of Duplin.

Mr. Turner, of Orange, introduced a bill to qualify every man of good mind and good character, to serve as a juror, without reference to a freehold qualification; which was read the first time, passed and referred to a select committee of five.

The Speaker announced the committee to consist of Messrs. Turner, Amis, Strange, Watters and Scales.

Mr. Carmichael, of Wilkes, introduced a bill to improve the public road leading from Holeman's Ford, on the Yadkin River, in Wilkes county, to the Tennessee line; which was read the first time and passed.

The hour for the joint rule of the two Houses having arrived,

Mr. Cherry, of Bertie, nominated B. F. Moore, for the office of Judge of the Supreme Court. W. H. Battle was added to the nomination, by Mr. Scales, of Roehampton.

The House then proceeded to vote with the following result:

FOR MR. B. F. MOORE.

Messrs. Albertson, Barco, Brooks, T. Byrum, Calloway, Cherry, Christmas, Cotten, Daniel, Dargan, Dortch, Godwin, W. S. Harris, W. H. Harris, Johnson, Jones, Leach, McDugald, Norfleet, Perkins, Phelps, Puryear, Sanders of Johnson, Sauls, Shimpock, Simons, Smith, Spruill, Tolson, Watters, B. F. Williams, Wiley, and Wilder—43.

FOR MR. REID.

Messrs. Barrett, Dobson, W. E. Hill, Rives, Waugh—5.

FOR MR. SAUNDERS.

Messrs. Sutton and Wheeler,—2.

FOR MR. BATTLE.

Messrs. Speaker, Alford, Amis, Avery, J. B. Bynum, Byrd, Dobbins, Durham, Eure, Foreman, Furr, George, Hawkins, Holman, Lander, Long of Caswell, Lowry, Love, W. H. Lyon, Martin, Marshall, Matthews, Mills, Mooring, Munday, McIntyre, McNeill, Phillips, A. Reid Scales, Stubbs, Thornburg, Trexler, J. Turner, Webb, S. A. Williams and Wynne—37.

FOR MR. BAILEY.

Messrs. Allen, Black, Corbett, Dunn, Herring, Jarvis, J. F. Lyon, D. Reid and Strange—9.

FOR MR. STRANGE.

Messrs. Bryant, Lockhart, Walton,—3.

FOR MR. BRAGG.

Mr. Chesnutt,—1.

FOR MR. ASA BIGGS.

Messrs. Ellis, S. P. Hill—2.

FOR MR. BADGER.

Mr. Pegram,—1.

FOR MR. MANLY.

Messrs. Russell, Ward, Wood and Fagg—4.

FOR MR. BRYAN.

Messrs. Blow, Collins, W. J. Lyon, R. M. Saunders, Tripp, Whitehurst, and Caldwell—7.

FOR MR. MITCHELL.

Messrs. Carmichael, Cook, Gaither, Gwynn, Miller, Styles, Teague, W. Turner and Adams—9.

On motion, it was ordered that a message be sent to the Senate, proposing to go into an election for Comptroller of State *forthwith*.

Mr. Puryear, of Surry, introduced a bill to change the name of the town of Wilson in Yadkin county; which was read the first time and passed, and the rule being suspended, it passed its second reading.

Mr. Cherry, of Bertie, from the Committee, to superintend the election of Supreme Court Judge, submitted the following report,

Which was concurred in;

That the whole number of votes cast was 163, that 82 were necessary to a choice—that Mr. Moore received 48:

Mr. Battle 49; Mr. Bailey 6; Mr. Bryan 16; Mr. Mitchell 9; Mr. Manly 4; Mr. Strange 8; Mr. Biggs 2; Mr. Saunders 3; Mr. Bragg 3; Mr. Badger 4; Mr. Craig 1; Mr. Toomer 1; Mr. Winston 1; and Mr. Reid 5; that as no one had a majority of all the votes there was no election.

Mr. McDugald moved that a message be sent to the Senate proposing to go into an election of Attorney General to day at half-past one o'clock.

Mr. Waugh moved to lay on the table.

Which motion was lost.

And the motion of Mr. McDugald was adopted.

Mr. Brooks, of Pasquotank, introduced a bill to incorporate Woodville Division, No. 217 Sons of Temperance; at Woodville, in the county of Perquimans, which was read the first time and passed.

Mr. Corbett, of New Hanover, introduced a bill to incorporate Long Creek Division, No. 102 of the Sons of Temperance; which was read the first time, passed and referred to the Committee on Corporations.

Mr. McNeill, of Robeson, introduced a bill to amend an act incorporating Robeson institute, in the county of Robeson;" which was read the first time and passed.

A message was received from the Senate, agreeing to go into an election for Comptroller, forthwith; and informing the House that Messrs. Murray and Cannady will superintend the election on the part of the Senate.

Also, informing the House that the Senate had laid on the table the proposition to vote for Attorney General, at half-past one o'clock.

The committee on the part of the House consist of Mr. Strange and Webb.

The House proceeded to vote with the following result :

FOR MR. CLARK.

Messrs. Albertson, Allen, Avery, Barrett, Black, Blow, Bryant, Bynum of Northampton, Byrd, Calloway, Chesnutt, Christmas, Corbett, Dobbin, Dobson, Dorich, Dunn, Durham, Ellis, Eure, Foreman, George, Hawkins, Herring, Hill of Duplin, Jarvis, Lander, Lockhart, Long of Caswell, Long of Randolph, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mooring, Munday, McNeill, Norfleet, Pegram, Phelps, Phillips, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Sherril, Styles, Strange, Sutton, Tolson, Walton, Ward, Waugh, Wheeler, Williams of Greene, Williams of Warren, Wilder, Wood and Wynne—62

FOR MR. MILLER.

Messrs. Speaker, Adams, Alford, Amis, Bareo, Brooks, Bynum, of Chatham, Carmichael, Cherry, Collins, Cook, Daniel, Dargan, Fagg, Furr, Gaither, Godwin, Gwynn, Harris of Davidson, Johnson, Jones, Leach, Lowry, Matthews, Mills, McIntyre, Perkins, Puryear, Shimpock, Simons, Smith, Spruill, Stubbs, Teague, Thornburg, Tripp, Trexler, Turner of Iredell, Turner of Orange, Walters, Webb, Whitehurst, Wiley, Caldwell of Guilford, Harris of Cabarrus, and Love—46.

Mr. Wheeler, of Lincoln, introduced a bill to amend an act passed 1848-'49 chapter 195, to improve the navigation of the Catawba River ; which was read the first time, passed and referred to a select committee.

The committee consists of Messrs. Wheeler, Reid of Duplin, Dargan, Lowry and Ward

Mr. Cook, of Wilkes, introduced a bill to alter and improve the road leading from Trap Hill, in Wilkes county, to the ford of Yakkim river, at Isaac Martin's, which was read the first time, passed, and, with memorials, referred to the Committee on Propositions and Grievances.

Mr. Dobbin, of Cumberland, introduced a bill to incorporate the North Carolina Steam Carriage and Plank Road company; which was read the first time and passed.

On motion of Mr. Avery, the special order of the day, the bill to incorporate the North Carolina and Tennessee Railroad, was postponed until Monday, and made the special order for 12 o'clock that day.

Mr. Dargan, of Anson, introduced a bill to incorporate Stokes Lodge, No. of Ancient York Masons, in the town of Concord; which was read the first time, passed, and referred to the Committee on Corporations.

On motion of Mr. Puryear, of Surry;

Resolved, That a committee of five be appointed to enquire into the expediency of establishing a Medical Board in this State, and that they report by bill or otherwise.

The committee consists of Messrs. Blow, Durham and Mills.

Mr. Strange, from the committee to superintend the election of Comptroller, made the following report,

Which report was concurred in:

That there were 159 votes cast—that eighty were necessary to a choice—that Mr Clark received 97; Mr. Miller 62; and that Mr. Clark was therefore duly elected.

A message was received from the Senate, agreeing to set apart Saturday afternoon, 11th instant, for the appointment of Justices of the Peace.

Also, asking the concurrence of the House in the engrossed resolution "concerning the report of Professor Emmons."

Whereupon, the resolution was read the first, second and third times, passed and ordered to be enrolled.

Mr. Black, of Mecklenburg, introduced a resolution authorizing the Governor to furnish standard weights and measures to Union county; which was read the first time and passed.

Mr. Wynne, of Hyde, introduced a bill to incorporate the Trustees of Mattamuskeet Academy; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Pegram, of Cumberland, introduced a bill to incorporate the Fayetteville Ice company; which was read the first time and passed.

Mr. Saunders, of Wake, introduced a bill to amend an act, entitled an act to incorporate the Roanoke Valley Railroad company; which was read the first time and passed.

Mr. Tripp, of Beaufort, introduced a bill to prevent the obstruction of the passage of fish in the waters of Blount's Creek and its tributary streams; which was read the first time, passed, and referred to the Committee on Propositions and Grievances.

On motion of Mr. Lander, of Lincoln, it was ordered that a message be sent to the Senate, proposing to go into an election for Judge of the Supreme Court at a quarter before 2 o'clock.

On motion of Mr. Stubbs, of Beaufort, the bill concerning pilots and pilotage was taken from the table, and, with the memorials, referred to the Committee on Propositions and Grievances.

Mr. Collins, of Chowan, presented sundry memorials ; which, on motion, were referred to the Committee on Propositions and Grievances.

Mr. Dortch, of Wayne, introduced a bill to amend the 34th chapter of the Revised Statutes ; which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Simons, of Montgomery, introduced a bill for better securing creditors against loss ; which was read the first time, passed, and referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Wilder, of Wake, introduced a bill to incorporate the Trustees of Morning Sun Academy, in the county of Wake ; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Mooring of Martin, introduced a bill to incorporate the Roanoke Ferry and Turnpike company ; which was read the first time and passed.

A message was received from the Senate, concurring in the proposition to ballot for Supreme Court Judge, at a quarter before 2 o'clock, and informing the House that Messrs. Thompson and Clark will superintend the election on the part of the Senate.

Messrs. Norfleet and Phillips form the committee on the part of the House.

Mr. Fagg, of Buncombe, introduced " a bill to alter the line of Madison county, and to establish the county of Warm Springs : which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Webb, of Rutherford, introduced a bill to restore jury trials to the county of Rutherford; which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Scales, of Rockingham, introduced a bill to prevent the felling or putting of timber in Hogan's Creek, in the county of Rockingham; which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Byrd, of Yancey, introduced a bill to authorize John B. Gardner to collect arrearages of taxes in Yancey county for the year 1850; which was read the first time, passed and referred to the Committee on Private Bills.

Mr. Lyon, of Granville, introduced a bill to incorporate the trustees of Mount Energy academy; which was read the first time, passed and referred to the Committee on Corporations.

The Speaker presented a statement of the condition of the Bank of the State, on the 20th Nov. 1852; which, on motion, was ordered to be transmitted to the Senate, with a proposition to print.

The hour to carry out the joint order of the two Houses, having arrived,

The House proceeded to vote for Supreme Court Judge, with the following result:

FOR MR. MOORE.

Messrs. Barco, Brooks, Bryant, T. Bynum, Calloway, Cherry Christmas, Cotten, Dargan, Dortch, Gwynn, Jones, Norfleet, Perkins, Puryear, W. H. Sanders, Shimpock, Smith, Spruill, Thornburgh, Tolson, Watters, and Wilder—23.

Mr. Mooring, of Martin, introduced a bill to amend the 55th chapter of the Revised Statutes, entitled an act for the better security of personal property ; which was read the first time, passed, and referred to the Committee on the Judiciary.

A bill to repeal an act, to establish a new county by the name of Jackson, was read the third time and passed.

Mr. Love, of Haywood, moved to amend the title of the bill, so as to read, "a bill supplemental to an act passed at the session of 1850-'51, entitled an act to lay off and establish a new county by the name of Jackson."

Which amendment was adopted.

Mr. Avery moved that the rule be suspended, and that the bill be sent to the Senate, asking the concurrence of that body in the amendment of this House.

Which motion prevailed.

Mr. Hill, of Caswell, introduced a bill to amend the Constitution of North Carolina ; which was read the first time and made the order for Monday next 1 o'clock.

Mr. Amis, moved to reconsider the vote by which the bill was made the order of the day for Monday next.

Pending which,

On motion of Mr. Phillips, of Orange, the House adjourned.

SATURDAY Dec. 4th 1852.

The question pending being the motion of Mr. Amis, of Granville, to reconsider the vote by which the bill to amend the Constitution of North Carolina, was made the special order of the day for Monday next.

It was decided in the affirmative, by the casting vote of the Speaker.

Mr. Avery, of Burke, appealed from the decision of the Speaker, and the question, shall the Chair be sustained? was decided in the affirmative—Yeas 81, nays 17.

On motion, the bill was then made the special order for Monday next, at 1 o'clock.

Those who voted in the affirmative are :

Messrs. Adams, Albertson, Alford, Allen, Avery, Barco, Barrett, Black, Blow, Bryant, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of Guilford, Caldwell of Lincoln, Calloway, Carmichael, Chesnutt, Christmas, Cook, Corbett, Dargan, Dabbin, Dabson, Dortch, Dunn, Durham, Ellis, Fagg, Foreman, Gaither, George, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Jones, Lander, Long of Randolph, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Mills, Mooring, Munday, McDugald, McNeill, Norfleet, Pegram, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Sherrill, Styles, Strange, Stubbs, Sutton, Thornburg, Tolson, Trexler, Turner of Iredel, Turner of Orange, Walton, Ward, Wheeler, Whitehurst, Williams of Greene, Williams of Warren, Wilder and Wood—87.

Those who voted in the negative are :

Messrs. Amis, Cherry, Daniel, Eure, Furr, Holoman, Johnson, Lowry, Miller, McIntyre, Sampcock, Teague, Tripp, Watters, Webb and Wiley—17.

On motion, the bill was made the special order for Monday next, 1 o'clock.

On motion of Mr. Hill of Caswell, a bill for the protection of boats, canoes, coasting and sea vessels, was taken from the table, and read the second time and passed.

On motion of Mr. Avery, of Burke, the bill "to protect live stock from malicious destruction" was taken from the table, and read the second time.

Mr. Calloway, of Ashe, moved to amend the bill, by striking out the county of Ashe.

Which amendment was adopted, and bill passed its second reading—Yeas 79, nays 18.

Mr. Spruill, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Avery, Barrett, Black, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of Guilford, Caldwell of Lincoln, Carmichael, Chesnut, Collins, Cook, Cotten, Corbett, Dobbin, Dobson, Dunn, Durham, Ellis, Fagg, Ganner, George, Godwin, Gwynn, Harris, of Cabarrus, Hill of Caswell, Hill of Duplin, Jarvis, Johnson, Jones, Lander, Long of Caswell, Long, of Randolph, Lowry, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Miller, Mills, Mooring, Munday, McDugald, McNeill, Norfleet, Pegram, Phillips, Reid of Duplin, Reid of Rockingham, Rives, Russell, Saunders of Wake, Sauls, Seales, Sherrill, Simons, Styles, Strange, Stubbs, Sutton, Teague, Thornburg, Tolson, Trexler, Tripp, Turner, of Iredell, Turner of Orange, Walton, Ward, Wagh, Webb, Wheeler, Williams of Greene, Wood, Alien and Wynne—79.

Those who voted in the negative, are :

Messrs. Alford, Amis, Barco, Blow, Bryant, Cherry, Furr, Harris of Davidson, Holeman, Leach, Matthews, Perkins, Sanders and Johnson, Shimpock, Spruill, Whitehurst, Williams of Warren and Wilder—18,

On motion, the rule was suspended and the bill read the third time.

Mr. Webb, of Rutherford, moved to amend the bill by striking out the county of Rutherford.

Which amendment was rejected.

The question then recurring, shall the bill pass its third reading? it was decided in the affirmative—Yeas 72, nays 29; and the bill ordered to be engrossed.

Mr. Caldwell, of Guilford, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Avery, Barrett, Black, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of Lincoln, Calloway, Carmichael, Chesnut, Christmas, Collins, Cook, Corbett, Dobbin, Dobson, Durham, Ellis, Erwin, Fagg, Gaither, George, Gwynn, Harris of Cabarrus, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Jones, Lander, Long of Randolph, Lowry, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mills, Mooring, Munday, McDugald, McNeill, Norfleet, Pegram, Phillips, Reid of Duplin, Reid of Rockingham, Rives, Russell, Saunders of Wake, Sauls, Scales, Sherill, Simons, Styles, Strange, Sutton, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Ward, Waugh, Wheeler, Wiley and Wood, Miller—72.

Those who voted in the negative are :

Messrs. Adams, Albertson, Alford, Amis, Barco, Blow, Brooks, Bryant, Caldwell of Guilford, Cotten, Dargan, Dunn, Foreman, Furr, Godwin, Harris of Davidson, Holeman, Johnson, Leach, Matthews, Perkins, Shimpock, Stubbs, Watters, Webb and Wilder—29.

Mr. Long, of Randolph, moved a reconsideration of the vote by which the bill passed its third reading.

Which motion was not carried.

On motion of Mr. Leach, of Davidson, it was ordered that a message be sent to the Senate, proposing to go into an election for Attorney General to day at half past eleven o'clock.

On motion of Mr. Williams of Warren, it was,

Ordered, That a message be sent to the Senate, proposing to go into an election for United States Senator to day at a quarter before 2 o'clock.

On motion of Mr. Leach, of Davidson, a bill to ascertain the will of the freemen of North Carolina, as to the call of a *convention* on the federal basis, was taken from the table and made the special order for Thursday next at 11 o'clock.

On motion of Mr. Avery, of Burke, the bill to authorize certain persons therein named to raise by lottery thirty thousand dollars, for the purpose of clearing out Goshen in the county of Duplin, was taken from the table.

The question pending being the motion of Mr. McNeill, to reconsider the vote by which the bill was rejected.

Which motion did not prevail.

On motion of Mr. Wiley, of Guilford, leave of absence was granted to Mr. Lockhart of Northampton until Friday next.

A message was received from the Senate, refusing to concur in the proposition to vote for Attorney General to-day at half-past eleven o'clock; and agreeing to the proposition to vote for United States Senator at a quarter before 2 o'clock, and informing the House that Messrs. Person and Cowper will superintend the election on the part of the Senate.

A bill to amend an act of 1848-9, chapter 57, entitled an act to confer on over imprisoned Lunatics, was read the second time and passed.

A bill to provide for paying tales jurors in the counties of Northampton and Wake, was read the second time, amended by striking out all after the enacting clause and adopting the substitute proposed by the Committee and passed.

A statement from the Cashier was received, showing the condition of the bank of Cape Fear, the first of Dec. 1852, which was ordered to be transmitted to the Senate, with a proposition to print.

The Speaker announced that Messrs. Sanders of Johnson and Long of Caswell would superintend the election of United States Senator, on the part of the House.

The hour for the joint order of both Houses having arrived, the house proceeded to vote with the following result.

• FOR MR. DOBBIN.

Messrs. Avery, Barrett, Black, Bryant, Bynum of Northampton, Chestnut, Corbett, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, George, Heiring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Holeman, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Moor, ing, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Ward, Waugh, Wheeler, Williams, of Warren, Wilder, Wood, Allen and Byrd—48.

FOR MR. SAUNDERS.

Messrs. Speaker, Albertson, Brooks, Bynum of Chatham, Caldwell, of Guilford, Caldwell of Lincoln, Carmichael Cherry, Christmas, Collins, Cook, Daniel, Dargan, Eure, Fagg, Gwynn, Harris of Davidson, Hawkins, Leach, Lowry, Loye, Miller, Perkins, Puryear, Shimpock, Simons, Styles, Stubbs, Tolson, Trexler, Tripp, Watters, Whitehurst, and Wynne—34.

FOR MR. SHEPARD.

Messrs. Cotten, Godwin, Sanders of Johnson and Spruill—4.

FOR MR. CLINGMAN.

Messrs. Biow and Mills,—2.

FOR MR. RAYNER.

Messrs. Alford, Barco, Calloway, Furr, Jones, Long of Randolph, McIntyre, Thornburg, Williams of Greene and Webb—10.

FOR MR. BAXTER.

Messrs. Matthews, Turner of Iredell and Teague,—3.

FOR MR. GILMER.

Mr. Amis—1.

FOR MR. LILLINGTON.

Mr. Adams—1.

FOR MR. COLLINS.

Mr. McDugald—1.

FOR MR. OSBORNE.

Mr. Harris of Cabarrus—1.

FOR MR. KERR.

Mr. Gaither—1.

FOR MR. E. G. READ.

Mr. Turner of Orange—1.

FOR MR. THOMPSON.

Messrs. Johnson, Phillips, and Sherrill—3.

FOR MR. CRAIG.

Mr. Saunders of Wake—1.

Mr. McIntyre, of Richmond, introduced a bill to lay off the State into fifty Senatorial Districts, and for other purposes, which was read the first time, ordered to be printed, and made the special order for Thursday next, at 12 o'clock.

On motion of Mr. Reid, of Duplin, the bill introduced by him yesterday, was taken from the table and ordered to be printed.

Mr. Long, of Caswell, from the Committee to superintend the election of United States Senator, submitted the following report, which was concurred in :

That 161 votes were cast ; that 81 were necessary to a choice ; that Mr. Dobbin received 75, Saunders 35, Shepard 5, Thompson 4, Rayner 30, Baxter 3, Collins 1, Reid 1, Clingman 2, Gilliam 1, Osborne 1, Lillington 1, Kerr 1, Craig 1 ; that as no one had received a majority of all the votes, there was no election.

Mr. McIntyre, of Richmond, introduced the following resolution, which which was read the first time, passed, and the rules being suspended, was read second and third times, passed and ordered to be engrossed :

Resolved, That the clerk of this House procure a copy of the outline map by Wm. D. Cook of this city, for each member of this General Assembly, provided the cost does not exceed fifty cents each, and that the public treasurer be allowed the same in his public accounts.

Mr. Saunders, of Wake, from the Committee on the Judiciary, reported back to the House a bill to confirm the establishment of the county of Yadkin, with a substitute, as an amendment, and recommended that the substitute be adopted, and the bill passed.

Whereupon, the bill was read the second time, the amendment adopted, and the bill passed.

Mr. Long, of Randolph moved to take up the bill concerning the Cape Fear and Deep River Navigation company,

Pending which,

Mr. Fagg, of Buncombe, moved that the House adjourn.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Amis, Avery, Barco, Barrett, Brooks, Byrd, Caldwell of Guilford, Cherry, Cook, Corbett, Daniel, Dobson, Dortch, Ellis, Erwin, Eure, Fagg, George, Hawkins, Hill of Caswell, Jones, Lauder, Leach, Lowry, Love, Lyon of Orange, Marshall, Mooring, Munday, McIntyre, McNeill, Phelps, Phillips, Reid of Duplin, Saunders of Wake, Shimpock, Styles, Strange, Stubbs, Teague, Trexler, Tripp, Ward, Webb, Wheeler, Whitehurst, Williams of Greene, Williams of Warren, Wilder, Wood and Wynne—52.

Those who voted in the negative, are :

Messrs. Black, Bryant, Bynum of Northampton, Calloway, Chesnut, Dobbin, Durham, Dunn, Furr, Gauther, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Herring, Hill of Duplin, Holman, Johnson, Jarvis, Long of Caswell, Long of Randolph, Martin, Matthews, Miller, Mills, McDugald, Pegram, Perkins, Puryear, Reid of Rockingham, Rives, Sanders of Johnson, Sauls, Scales, Sherrill, Simons, Smith, Spruill, Thornburgh, Tolson, Turner of Iredell, Turner of Orange, Watters, Walton, Waugh and Alford—45.

The House adjourned.

Monday, Dec. 6th, 1852.

The Speaker announced the Committee on engrossed bills for the week to consist of Messrs. Black, Wynne, Tripp, George and Munday.

Mr. Phelps, of Washington, presented a memorial from sundry citizens; which was referred to the Committee on Propositions and Grievances.

The House resumed the consideration of the unfinished business of yesterday—the motion of Mr. Long to take up the bill concerning the Cape Fear and Deep River navigation.

Which motion having prevailed, the bill was read the third time.

Mr. Marshall, of Stokes, moved to lay on the table, until Saturday next.

Which motion was rejected—yeas 38, nays 63.

Mr. Fagg, of Buncombe, demanded the yeas and nays.

The question then recurring—shall the bill pass? it was decided in the affirmative, and the bill ordered to be enrolled.

On motion of Mr. Williams of Warren, it was ordered that a proposition be sent to the Senate, proposing to go into an election for United States Senator, to day at half-past 1 o'clock.

On motion of Mr. Avery, the special order of the day, the bill to incorporate the North Carolina and Tennessee Railroad, was taken up, and several amendments submitted.

Whereupon, the bill was made the special order for tomorrow 12 o'clock, and the amendments ordered to be printed.

The committee on counting and comparing the vote of Governor, submitted a report,

Which was concurred in.

On motion of Mr. Saunders, of Wake,

Resolved, That a chair be placed at the right of the Speaker, to be occupied by the Speaker of the Senate, and that the seats on the left of the Speaker be occupied by the members of the House, and that the seats on the right be occupied by Senators, and that the members of the House receive the Senate standing.

A message was received from the Senate, agreeing to go into an election for United States Senator, to day at half-past 1 o'clock, and informing the House that Messrs. Hargrave and Thompson will superintend the election on the part of the Senate.

Committee on the part of the House—Messrs. Wheeler and Long, of Randolph.

A message was received from the Senate, informing the House that the Senate had concurred in the report of the

committee on counting and comparing the vote for Governor.

A message was received from the Senate, informing the House that Mr. Boyd will act as teller on the part of the Senate, in comparing the vote for Governor, and that the Senate will meet the House of Commons in their Hall to-day at 12 o'clock.

Tellers on the part of the House—Messrs. Norfleet, and Long of Randolph.

A message was received from the Senate, informing the House that the Senate rejected the engrossed bill from the House of Commons, "to amend the Constitution of North Carolina."

On motion of Mr. Spruill, of Bertie, the bill to incorporate the Trustees of the Wesleyan Female College, was taken up, read the second time and passed, and the rule being suspended, the bill was read the third time, passed and ordered to be enrolled.

A bill to amend the Constitution, was taken up and made the special order for to-morrow at one o'clock.

Mr. Puryear, Chairman of the Committee on Propositions and Grievances, reported back to the House a bill to emancipate James Langford, and recommended its passage.

Whereupon, the bill was read the second time and passed—Yeas 59, nays 46.

Mr. Brooks, of Pasquotank, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Avery, Barrett, Black, Blow, Bryant, Bynum of Northampton, Byrd, Caldwell of Guilford, Calloway, Chesnutt, Corbett, Dobbin, Dobson, Dortch, Ellis, Furr, Gaither, George, Gwynn, Harris of Davidson, Herring, Hill of Caswell, Jarvis, Lander, Long of Caswell, Lowry, Love, Lyon, of Granville, Martin, Mills, Mooring, Munday, McDugald, McNeill, Pegram, Perkins, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Saunders of Wake, Sauls, Scales, Sherrill, Spruill, Sutton, Thornburg, Trexler, Turner of Iredell, Ward, Waugh, Wheeler, Whitehurst, Williams of Greene, Wood and Durham—59.

Those who voted in the negative are :

Messrs. Adams, Alford, Allen, Amis, Barco, Brooks, Bynum of Chatham, Carmichael, Cherry, Christmas, Collins, Cook, Cotten, Daniel, Dunn, Eure, Fagg, Godwin, Hill of Duplin, Holeman, Johnson, Jones, Lyon of Crange, Marshall, Matthews, Miller, McIntyre, Norfleet, Perry, Sanders of Johnson, Shimpock, Simons, Smith, Styles, Stubbs, Teague, Tolson, Tripp, Turner of Orange, Watters, Walton, Webb, Williams of Warren, Wilder and Wynne—46.

Mr. Wheeler, Chairman, in behalf of the Committee on Claims, to whom was referred a resolution in favor of W. W. Greene and L. A. Jeffreys, reported the same back to the House, and recommended its passage.

Mr. Puryear, Chairman, in behalf of the committee to whom was referred a bill to enlarge the power of the Commissioners of the town of Newdern, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed—Yeas 50, nays 43.

Mr. Williams of Greene, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Adams, Allen, Avery, Barrett, Black, Brooks, Bynum, of Northampton, Byrd, Caldwell of Guilford, Carmichael, Cherry, Collins, Cook, Corbett, Dobbin, Ellis, Fagg, Furr, Harris of Cabarrus, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lowry, Love, Lyon of Granville, Mooring, Munday, McNeill, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Saunders of Wake, Sherrill, Shimpock, Simons,

Spruill, Sutton, Teague, Tripp, Turner of Iredell, Ward, Webb, Wheeler, Whitehurst, Wilder, Wood, and Wynne—50.

Those who voted in the negative are :

Messrs. Albertson, Barco, Blow, Bryant, Bynum of Chatham, Chestnut, Dobson, Dortch, Durham, George, Godwin, Gwynn, Harris of Davidson, Herring, Holeman, Johnson, Jones, Long of Caswell, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, McDugald, McIntyre, Norfleet, Pegram, Perry, Phillips, Puryear, Sanders of Johnson, Sauls, Styles, Thornburg, Tolson, Trexler, Turner of Orange, Waugh, Williams of Greene, Williams of Warren and Alford—43.

Mr. Puryear, in behalf of the same committee, reported back to the House, a bill to restrict fishing in part in Albermarle Sound, and other waters, with amendments, and recommended its passage.

Whereupon the bill was read the second time, and the amendments proposed adopted, and on motion the bill was laid on the table.

Mr. Puryear, Chairman, in behalf of the same committee reported back to the House a resolution in favor of Joseph Brindle, of Macon county, and recommended that it do not pass.

Whereupon, it was read the second time, and on motion of Mr. Munday, laid on the table.

Mr. Puryear, Chairman, in behalf of the same Committee, reported back to the House, a bill to repeal in part the 5th section of an act of the General Assembly, passed at its session of 1850-51, entitled an act to establish a court of law and equity, for the county of Watauga, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Puryear, in behalf of the same committee, reported back to the House, a memorial from sundry citizens, praying the passage of some law, to rid the State of free negroes, and recommended that it was inexpedient to legislate upon the subject, and asked to be discharged from its further consideration.

Which report was concurred in.

Mr. Puryear, in behalf of same Committee, reported adversely to the memorial of sundry citizens asking the emancipation of slave Rachel.

On motion, the report was laid on the table.

Mr. Avery, Chairman, in behalf of the Committee, on Internal improvements, reported back to the House a bill to authorize the Union of the Greenville and Roanoke Railroad company with the Petersburg Railroad company, and recommended its passage.

Whereupon, the bill was read the second time and passed.

The hour for the joint order of the Houses having arrived, the Senate, preceded by their Speaker, entered the Hall of the House of Commons, and both Houses proceeded to compare the vote cast for Governor in August last.

COUNTIES.	FOR	FOR
	D. S. REID.	JOHN KERR.
Ashe,	682	368
Alexander,	230	361
Anson,	513	1088
Burke,	489	1216
Bertie,	420	527
Beaufort,	554	847

	FOR D. S. REID.	FOR JOHN KERR.
Brunswick,	271	343
Bladen,	631	358
Buncombe,	684	946
Caldwell,	196	600
Cumberland,	1388	783
Currituck,	603	178
Chowan,	228	249
Cherokee,	550	540
Camden.	122	488
Cabarrus,	441	714
Carteret,	392	411
Caswell,	1013	270
Columbus,	443	198
Chatham,	980	995
Cleaveland,	870	305
Craven,	698	597
Davidson,	746	951
Davie,	345	490
Duplin,	1072	190
Edgecombe,	1425	104
Franklin,	721	341
Greene,	361	347
Granville,	1063	1005
Guilford,	480	1524
Gates,	406	363
Haywood,	551	368
Hyde,	408	368
Hertford,	246	360
Halifax,	541	551
Henderson,	340	762
Johnston,	883	733
Jones,	240	214
Iredell,	393	1035
Lincoln,	1934	680
Lenoir,	459	267
Macon,	432	451

	FOR D. S. REID.	FOR JOHN KERR.
Mecklenburg,	1421	731
Madison,	168	278
Martin,	676	260
Montgomery,	209	706
Moore,	646	615
New Hanover,	1342	350
Northampton,	586	504
Nash,	1030	84
Orange,	1796	1528
Onslow,	696	167
Pitt,	649	636
Person,	550	341
Pasquotank,	247	453
Perquimons,	312	347
Robeson,	760	693
Rutherford,	590	1106
Rowan,	712	776
Richmond,	194	624
Randolph,	439	1279
Rockingham,	1072	356
Stanly,	80	896
Stokes,	1481	1132
Surry,	1376	1206
Sampson,	905	509
Tyrrell,	114	282
Warren,	697	162
Wilkes,	393	1345
Washington,	297	247
Watauga,	234	183
Wake,	1561	1102
Wayne,	1196	283
Yancey.	694	336

Mr. Boyd, teller, on the part of the Senate, submitted the following report:

Which was concurred in:

That 91,570 votes were cast, of which number David S. Reid received 48,567, and John Kerr, 003—that David S. Reid having received a majority, was duly elected.

Whereupon, the Speaker of the Senate, declared David Reid Governor elect of the State, for two years, from and after the first day of January next.

The Senate then retired.

The hour agreed upon for a ballot for United States Senator having arrived, the House proceeded to vote with the following result :

FOR MR. DOBBIN.

Messrs. Avery, Barrett, Black, Bryant, Bynum of Northampton, Chesnut, Corbett, Dobson, Dortch, Dunn, Durham, Ellis, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mooring, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sauls, Scales, Sherrill, Sutton, Walton, Ward, Waugh, Wheeler, Williams, of Warren, Wilder, and Allen—46.

FOR MR. RAYNER.

¶ Messrs. Speaker, Mr. Adams, Albertson, Alford, Amis, Barco, Brooks, Bynum of Chatham, Caldwell, of Guilford, Calloway, Carmichael, Cherry, Collins, Cook, Daniel, Dargan, Eure, Fagg, Furr, Gaither, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Holman, Johnson, Jones, Leach, Long of Randolph, Lowry, Matthews, Miller, McDougald, McIntyre, Perkins, Phillips, Puryear, Sanders of Johnson, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watters, Webb, Whitehurst, Williams of Greene, Wiley and Wynne—57.

FOR MR. CLINGMAN.

¶ Messrs. Byrd, and Mills—2.

FOR MR. D. S. REID.

Mr. Dobbin—1.

FOR MR. SHEPARD,

Mr. Cotten—1.

FOR MR. CRAIG.

Mr. Saunders of Wake—1.

The House then took a recess.

AFTERNOON SESSION.

Mr. Norfleet, of Edgecombe, presented instructions from 813 voters of the county of Edgecombe, against the new county proposed to be made from part of Edgecombe and other counties.

Which, on motion, was laid on the table.

On motion of Mr. Tolson, of Anson,

Resolved, That the Committee on Finance, be instructed to enquire into the propriety of taxing all incorporated Divisions of the Sons of Temperance, Odd Fellows, and all other incorporated secret institutions.

Mr. Harris, of Cabarrus, introduced a bill to incorporate the Bank of Concord, in the town of Concord, Cabarrus county; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Black, of Mecklenburg, introduced a bill to incorporate Harrison Division, No. 273, Sons of Temperance; which was read the first time and passed.

Mr. George, of Columbus, introduced a bill to emancipate Rachel, a slave; which was read the first time.

Mr. Miller, of Caldwell, moved the rejection of the bill and demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Alford, Allen, Amis, Barco, Brooks, Bynum of Chatham, Byrd, Calloway, Cherry, Daniel, Eure, Gaither, Godwin, Harris of Cabarrus, Holeman, Johnson, Jones, Leach, Lowry, Lyon of Orange, Marshall, Matthews, Miller, McIntyre, Norfleet, Perry, Perkins, Saunders of Wake, Sanders of Johnson, Sauls, Shimpock, Simons, Smith, Spruill, Styles, Tolson, Tripp, Turner of Iredell, Webb, Whitehurst, Williams of Warren, Wilder, Wood and Wynne—45.

Those who voted in the negative are :

Messrs. Albertson, Avery, Barrett, Black, Bryant, Bynum of Northampton, Caldwell of Guilford, Carmichael, Chesnutt, Corbett, Dobbin, Dobson, Dunn, Durham, Ellis, Furr, George, Gwynn, Harris of Davidson, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Long of Caswell, Long of Randolph, Love, Lyon of Granville Martin, Mooring, Munday, McDugald, McNeill, Pegram, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell Scales, Shenil, Stubbs, Sutton, Teague, Thornburg, Turner of Orange, Walton, Ward, Waugh, Wheeler, Williams of Greene and Wiley—55.

So the House refused to reject.

Whereupon, the bill passed its second reading, and was referred to the Committee on Propositions and Grievances.

Mr. Wheeler, from the committee to superintend the election of United States Senator, submitted the following report.

Which was concurred in :

That 160 votes were cast ; that 81 were necessary to a choice ; that Mr. Rayner received 79 Mr. Dobbin 73, Mr. Shepard 2, Mr. Saunders 2, Mr. Clingman 2, Mr. Reid 1, Mr. Craig 1 ; that as no one had received a majority of all the votes, there was no election.

Mr. Martin, of Franklin, introduced a bill to provide for the better regulation of the town of Louisburg, in the county of Franklin ; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Dortch, of Wayne, introduced a bill to incorporate Wayne Institute ; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Carmichael, of Wilkes, introduced a bill to incorporate the Salisbury, Mocksville and Wilkesboro' Plank Road company ; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Lander, of Lincoln, introduced a bill to amend 5th section of the 6th chapter of the Revised Statutes, entitled "attachment," which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Dobson, of Surry, introduced a bill to provide for the re-assessment of the real estate within the corporate limits of the town of Rockford in the county of Surry ; which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Corbett, of New Hanover, introduced a bill to incorporate the Merchant's and Planter's Bank of Wilmington; which was read the first time, passed and referred to the Committee on the Judiciary.

On motion of Mr. Cotten, of Chatham,

Resolved, That his Excellency the Governor be requested to inform the Legislature, how many chairmen of superintendants of Common Schools have failed to make their reports for the past year, according to law, and how many for the year previous.

Resolved, That he be also requested to state how many chairmen who failed to report last year, also failed to report for the year preceding, and that he also state whether any, and how many, chairman have failed to report for the last three years.

Mr. Turner, of Orange, introduced a bill to authorize James Turrentine, Sheriff of Orange county, to collect arrears of taxes due him.

Pending the reading of which.

On motion of Mr. Amis, of Granville, the House adjourned—Yeas 50, nays 41.

Mr. Sherrill, of Lincoln, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Alford, Allen, Amis, Avery, Barco, Bynum of Chatham, Bynum of Northampton, Caldwell of Guilford, Carmichael, Cherry, Collins, Cook, Cotten, Daniel, Dobbin, Eore, Harris of Cabarros, Hill of Duplin, Jones, Lander, Long of Randolph, Love, Lyon of Granville, Marshall, Mooring, Munday, McIntyre, Perry, Phelps, Reid of Duplin, Scales, Sherrill, Shimpock, Spruill, Styles, Sotton, Teague, Trexler, Tripp, Watters, Walton, Webb, Wheeler, Whitehurst, Williams of Greene, Williams of Warren and Wilder--50.

Those who voted in the negative, are :

Messrs. Black, Bryant, Corbett, Dobson, Dunn, Durham, Ellis, Gaither, George, Godwin, Harris of Davidson, Hill of Caswell, Holman, Jarvis, Johnson, Long of Caswell, Lowry, Lyon of Orange, Martin, Matthews, Miller, Mills, McDugald, McNeill, Pegram, Perkins, Phillips, Puryear, Reid of Rockingham, Rives, Sanders of Johnson, Saunders of Wake, Sauls, Simons, Smith, Thornburgh, Tolson, Turner of Iredell and Wood—41.

TUESDAY, Dec. 7th, 1852.

The unfinished business of yesterday, a bill to authorize the union of the Greenville and Roanoke Railroad, with the Petersburg Railroad company, was read the second time and passed—Yeas 69, nays 28.

Mr. Spruill, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Alien, Amis, Avery, Barrett, Black, Blow, Bynum of Northampton, Byrd, Caldwell of Guilford, Caloway, Carmichael, Chesnut, Cook, Corbett, Dobbin, Dobson, Dunn, Durham, Ellis, Erwin, Gaither, George, Harris, of Cabarrus, Hawkins, Herring, Hill of Caswell, Holman, Johnson, Lander, Long of Caswell, Long, of Randolph, Lowry, Love, Lyon of Granville, Lyon of Orange, Marshall, Matthews, Mills, Mooring, McIntyre, McNeill, Norfleet, Pegram, Perry, Perkins, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Saunders of Wake, Scales, Sherrill, Simons, Smith, Sutton, Thornburg, Tolson, Turner, of Iredell, Turner of Orange, Ward, Waugh, Webb, Wheeler, Williams of Greene, Williams of Warren, Wilder and Wynne—69.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Alford, Barco, Brooks, Bryant, Cherry, Daniel, Dortch, Eure, Godwin, Harris of Davidson, Hill of Duplin, Jarvis, Jones, Martin, Miller, McDugald, Phelps, Sanders of Johnson, Sauls, Shimpock, Spruill, Styles, Stubbs, Trexler, Tripp, and Wood—28.

Mr. Norfleet, in behalf of the Committee on the Judiciary, reported back to the House a bill to facilitate the recovery of debts due from nonresident debtors, and recommended its passage.

Whereupon, the bill was read the second time, and passed.

Mr. Miller, of Caldwell, moved that a message be sent to the Senate, with a proposition to go into an election for United States Senator, *forthwith*.

Pending action on which, the hour for the special order of the day, a bill to lay off and establish a new county by the name of 'Blue Ridge,' and to attach a part of Stokes county to the county of Surry, arrived, the question pending being the motion to reconsider the vote by which the amendment of Mr. Cook was adopted.

The special order being suspended, a message was received from the Senate, proposing to go into an election for superintendant of Common Schools to day at a quarter before 2 o'clock.

On motion of Mr. McNeill, of Robeson, the proposition was laid on the table—Yeas 45, nays 32.

A message was received from the Senate, proposing to raise a joint Select Committee of one on the part of the Senate, and two on the part of the House, to wait on his

Excellency, David S. Reid, and inform him of his election as Governor of North Carolina, for two years, from the first day of January next, and to ascertain from him, when it will suit his convenience to appear before the two Houses of this General Assembly and take the oath of office.

The hour of 12 having arrived, the special order for that hour, the bill to incorporate the North Carolina and Tennessee Railroad, was taken up.

Mr. Carmichael, of Wilkes, moved to postpone the special order until to-morrow.

Which motion was lost—Yeas 28, nays 39.

The question pending, being the amendment proposed by Mr. Avery,

Mr. Holeman, of Person, moved to amend the amendment, by striking out the last two sections.

The hour of 1 having arrived, the special order for that hour, the bill to amend the Constitution of North Carolina, was taken up, and,

On motion of Mr. Hill, of Caswell, was postponed, and made the special order for to-morrow, 11 o'clock.

A letter was received from his Honor. Wm. H. Battle, accepting the appointment of Supreme Court Judge, and resigning his place on the Superior Court Bench; which resignation was accepted, and by order transmitted to the Senate.

The House resumed the consideration of the amendment of Mr. Holeman.

Pending the question on which,

On motion of Mr. Fagg, the bill and amendment were postponed until to-morrow 12 o'clock, and made the special order for that hour.

The Speaker announced the committee on the part of the House, to wait on his Excellency, the Governor, to be Messrs. Carmichael and W. E. Hill.

The House then adjourned.

AFTERNOON SESSION.

Mr. Williams, of Warren, moved to adjourn, which motion was lost—Yeas 7, nays 78.

Mr. Brooks, of Pasquotank, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Amis, Fagg, Leach, Love, Norfleet, Tripp and Williams of Warren—7.

Those who voted in the negative are :

Messrs. Adams, Alford, Allen, Barco, Brooks, Bryant, Bynum of Chatham, Bynum, of Northampton, Byrd, Caldwell of Guilford, Carmichael, Cook, Corbett, Daniel, Dobbin, Dortch, Dunn, Durham, Ellis, Furr, George, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Hawkins, Herring, Hill of Caswell, Holeman, Johnson, Jones, Lander, Long of Caswell, Long of Randolph, Lowry, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, McIntyre,

Pegram, Perry, Perkins, Phelps, Phillips, Puryear, Reid of Rockingham, Reid of Duplin, Rives, Russell, Sanders of Johnson, Sauls, Scales, Sherrill, Shimpock, Simons, Smith, Styles, Stibbs, Sutton, Teague, Thornburg, Tolson, Trexler, Turner of Iredell, Turner of Orange, Watters, Walton, Ward, Waugh, Webb, Whitehurst, Williams of Greene and Gaither—78.

The bill introduced by Mr. Turner, of Orange, yesterday,

Pending the reading of which the House adjourned, was read the first time and passed.

Mr. Blow of Pitt, presented a memorial; which was referred to the Committee on Internal Improvements.

Mr. Dortch, of Wayne, introduced a bill to incorporate the Goldsboro' Normal School; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Saunders, of Wake, introduced the memorial of Geo. Little & Co.; which was referred to the Committee on Claims.

Mr. Reid, of Duplin, introduced a bill to incorporate the Duplin Plank Road Company; which was read the first time and passed.

Mr. Waugh, of Stokes, introduced a bill to incorporate the Winston and Wilksboro' Plank Road Company; which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Ward, of Jones, introduced a bill to prohibit free persons of color, from peddling in the county of Jones; which was read the first time, passed, and referred to the Committee on Propositions and Grievances.

Mr. Millor, of Caldwell, introduced a resolution in favor of E. S. Moor; which was read the first time, passed, and referred to the Committee on Propositions and Grievances.

Mr. Erwin, of Burke and McDowell, introduced a bill to improve County Prisons, and establish houses of correction; which was read the first time, passed, laid on the table, and ordered to be printed.

On motion, the House adjourned.

WEDNESDAY, Dec. 8th, 1852.

The Committee on Enrolled Bills for the week, on the part of the Senate, consists of Messrs. Cannady, McClees and Berry.

On motion of Mr. Waugh, of Stokes, the bill to establish the boundary line between Forsythe and Davidson was taken from the table and placed on the file of bills on their second reading.

On motion of Mr. Puryear, the bill to authorise the State to take seven hundred and fifty shares in the Yadkin Navigation company was taken from the table and placed on the file of bills on their second reading.

The House resumed the consideration of the unfinished business of yesterday:

“A bill to establish a new county by the name of Blue Ridge.”

The question pending, being the motion to reconsider the vote by which the amendment of Mr. Cook was adopted.

The vote was reconsidered, and the amendment rejected.

Mr. Matthews moved an amendment,

Pending which,

On motion, the bill and amendment were indefinitely postponed.

On motion of Mr. Carmichael, of Wilkes, the special order for 11 o'clock to-day—the bill concerning County and Superior Courts—was postponed and made the special order of the day for Wednesday next, at 11 o'clock—Yeas 44, nays 41.

On motion of Mr. Avery, of Burke, the special order for to-day, 12 o'clock—the bill to incorporate the North Carolina and Tennessee Railroad, was postponed and made the special order of the day for Monday next.

Mr. Dargan, in behalf of the Committee on the Judiciary, reported back to the House a bill to establish a homestead freehold, and recommended its passage.

Whereupon, the bill was read the second time, and

On motion of Mr. Cherry, of Bertie, was laid on the table and made the special order for Friday next, at 11 o'clock.

Mr. Hill, of Caswell, in behalf of the Committee on the Judiciary, reported back to the House a bill to incorporate the Bank of Charlotte, and recommended its passage.

Whereupon, the bill was read the second time.

Mr. Holeman, of Person, moved to amend the 16th section, by striking out all after the word "payable," in the 22d line.

Which amendment was adopted.

Mr. Marshall, of Stokes, moved to postpone the bill indefinitely.

Which motion was rejected—Yeas 29, nays 76.

Mr. Marshall, of Stokes, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Adams, Alford, Amis, Barco, Bryant, Carmichael, Durham, Erwin, Hawkins, Holeman, Lyon of Orange, Martin, Marshall, Matthews, Miller, Perry, Perkins, Reid of Rockingham, Sauls, Scales, Shimpock, Smith, Tripp, Turner of Iredell, Waugh, Whitehurst, Williams of Greene, Williams of Warren and Wilder—29

Those who voted in the negative are :

Messrs. Allen, Avery, Barrett, Black, Blow, Brooks, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of Guilford, Callo-way, Cherry, Chesnut, Christmas, Collins, Cook Corbett, Daniel, Dobbin, Dortch, Dunn, Ellis, Eure, Fagg, Foreman, Furr, Gaither, George, Godwin, Gwynn, Harris of Cabarrus, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Johnson, Lander, Leach, Long of Caswell, Long of Randolph, Lowry, Love, Lyon of Granville, Mills, Mooring, McDugald, McNeill, Norfleet, Pegram, Phelps, Phillips, Puryear, Reid of Duplin, Rives, Sanders of Johnson, Saunders of Wake, Sherrill, Simons, Spruill, Styles, Strange, Stubbs, Sutton, Teague, Thornburg, Tolson, Trexler, Turner of Orange, Watters, Walton, Webb, Wheeler, Wiley, Wood, Wynne and McIntyre—76.

The question then recurring—shall the bill pass? it was decided in the affirmative.

Mr. Phillips, in behalf of the Committee on the Judiciary, reported back to the House a bill to incorporate the Locksville and Hillsboro' Plank Road company, and recommended its passage.

On motion of Mr. Reid, of Duplin, the bill was laid on the table, and the House proceeded to the consideration of the bill to amend the Constitution of North Carolina.

Mr. Miller, of Caldwell, moved to postpone the further consideration of the bill until Wednesday next, and make it the special order of the day, at 12 o'clock.

Which motion was rejected—Yeas 47, nays 62.

Mr. Hill, of Caswell, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Alford, Albertson, Amis, Brooks, Caldwell of Guilford, Calloway, Carmichael, Cherry, Collins, Cook, Daniel, Erwin, Eure, Fagg, Furr, Godwin, Gwynn. Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Miller, McDugald, McIntyre, Perry, Perkins, Phillips, Shimpock, Simons, Smith, Spruill, Styles, Teague, Thornburgh, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watters, Webb, Whitehurst and Wiley—47.

Those who voted in the negative, are :

Messrs. Allen, Avery, Barco, Barrett, Black, Blow, Bryant, Bynum, of Chatham, Bynum of Northampton, Byrd, Chesnutt, Christmas, Corbett, Dobbin, Dobson, Dortch, Durham, Ellis, Foreman, Gaither, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Long of Caswell, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Mills, Mooring, McNeill, Norfleet, Pegram, Phelps, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Sherrill, Strange,

Stubbs, Sutton, Tolson, Walton, Ward, Waugh, Wheeler, Williams of Greene, Williams of Warreen, Wilder and Wood—62.

The question then recurring, shall the bill pass?

It was decided in the negative, a constitutional majority of three fifths not voting therefor.

Mr. Avery, of Burke, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Avery, Barco, Barrett, Black, Blow, Bryant, Bynum of Chatham, Bynum of Northampton, Byrd, Chesnutt, Christmas, Corbett, Dobson, Dortch, Dunn, Ellis, Foreman, Gaither, George, Gwynn, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Long of Caswell, Love, Lyon, of Granville, Lyon of Crange, Martin, Marshall, Matthews, Mills, Mooring, McDugald, McNeill, Norfleet, Pegram, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Saunders of Wake, Sauls, Scales, Sherrill, Strange, Stubbs, Sutton, Tolson, Walton, Ward, Wheeler, Williams of Greene, Williams of Warren, Wilder, Wood, Dobbin and Durham—64.

Those who voted in the negative are :

Messrs. Albertson, Alford, Amis, Brooks, Caldwell of Guilford, Carmichael, Cherry, Collins, Cook, Erwin, Eure, Furr, Godwin, Harris of Cabarrus, Holman, Johnson, Jones, Lowry, Miller, Perry, Sanders of Johnson, Shimpock, Simons, Smith, Spruill, Styles, Teague, Thornburg, Tripp, Turner of Iredell, Watters, Waugh, Whitehurst, and Wiley—34.

Mr. Waugh, of Stokes, moved to reconsider the vote by which the bill was rejected.

Mr. Reid, of Duplin, moved to lay the motion to reconsider on the table and demanded the yeas and nays.

The motion to lay on the table was lost—yeas 10, nays 92.

Those who voted in the affirmative, are :

Messrs. Adams, Allen, Barco, Carmichael, Cook, Harris of Cabarrus, Herring, Perry, Saunders of Wake and Wilder,—1.9

Those who voted in the negative are :

Messrs. Albertson, Alford, Amis, Avery, Barrett, Black, Brooks, Bryant, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of Guilford, Cherry, Chesnut, Collins, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Erwin, Eure, Fagg, Foreman, Furr, Gaither, George, Godwin, Gwynn, Harris of Davidson, Hawkins, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Johnson, Jones, Lander, Leach, Long of Caswell, Lowry, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Mooring, McDugald, McIntyre, McNeill, Norfleet, Pegram, Perkins, Phillips, Puryear, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Sauls, Seales, Sherill, Shimpoek, Simons, Smith, Spruill, Styles, Strange, Stubbs, Sutton, Teague, Thornburg, Tolson, Tripp, Turner of Iredell, Watters, Ward, Waugh, Webb, Wheeler, Whitehurst, Williams of Greene, Williams of Warren, Wiley and Wood—90.

On motion of Mr. Avery, of Burke, the motion to reconsider was made the special order for Tuesday next at 12 o'clock.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Alien, Avery, Barco, Barrett, Black, Bryant, Bynum of Chatham, Bynum of Northampton, Byrd, Chesnut, Christmas, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Foreman, George, Gwynn, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Long of Caswell, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mills, Mooring, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Saunders of Wake, Sauls, Seales, Sherill, Stange, Sutton, Tolson, Walton, Ward, Waugh, Wheeler, Williams of Warren, Wilder and Wood—57.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Alford, Amis, Brooks, Caldwell of Guilford, Carmichael, Cherry, Collins, Cook, Daniel, Erwin, Eure, Fagg, Furr, Gaither, Godwin, Harris, of Cabarrus, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long, of Randolph, Lowry, Matthews, Miller, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Shimpoek, Simons, Smith, Spruill, Styles, Stubbs, Teague,

Thornburg, Tripp, Turner, of Iredell, Turner of Orange, Wetters, Webb, Whitehurst, Williams of Greene, and Wiley—50.

AFTERNOON SESSION.

Mr. Strange, of New Hanover, introduced a bill for the incorporation of the Wilmington Mutual Marine Insurance Company ; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Long, of Randolph, introduced a bill to incorporate the town of New Salem in the county of Randolph ; which was read the first time, and referred to the Committee on Corporations.

Mr. Miller, of Caldwell, introduced a bill to incorporate the Atlantic, Tennessee and Ohio Railroad company ; which was read the first time and passed.

Mr. Strange, of New Hanover, introduced a bill to amend the 6th section of an act to charter the Wilmington and Manchester Railroad company ; which was read the first time, passed and referred to the Committee on Internal Improvements.

Mr. Caldwell, of Guilford, introduced a bill for the vigorous prosecution of a judicious system of internal improvements in the State of North Carolina.

Mr. Hill, of Caswell, introduced a bill in regard to elections ; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Hill, of Caswell, introduced a bill in regard to the town of Milton ; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Matthews, of Stakes, introduced a bill to incorporate Salem Lodge, No. 36, I. O. O. F. in the town of Salem, in the county of Forsythe ; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Turner, of Iredell, introduced a resolution in favor of James M. Lewis ; which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. Russell, of Craven, introduced a bill providing for the recovery of taxes of free person of color : which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Wiley, of Guilford, introduced a resolution in favor of R. O. Britton ; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Phelps, of Washington, introduced a resolution in favor of Samuel Kissam of the town of Plymouth ; which was read the first time, passed and referred to the Committee on Claims.

A bill to incorporate the Uharrie and Yadkin Plank Road company was read the third time passed and ordered to be engrossed.

O n motion, the House adjourned.

THURSDAY, Dec. 9th, 1852.

Mr. Phillips, of Orange, moved to take from the table the bill to incorporate the Locksville and Hillsboro' Plank Road company.

Which motion having prevailed, the bill was read the second time and passed.

Mr. Spruill, of Bertie, in behalf of the Committee on the Judiciary, reported back to the House a bill to prevent the fraudulent conveyance of property, and for other purposes, and recommended that it do not pass.

Whereupon, the bill was read the second time, and, on motion of Mr. Dargan, of Anson, indefinitely postponed.

On motion of Mr. Dobbin, of Cumberland,

Resolved, That a message be sent to the Senate, proposing to raise a joint select committee of five on the part of this House, and four on the part of the Senate, to whom shall be referred the report of the commissioners relative to the Lunatic Asylum.

Mr. Suunders, of Wake, chairman, in behalf of the Committee on the Judiciary, reported back to the House a bill to amend the Revised Statutes, chapter 37, entitled deeds and conveyances, and recommended its passage.

Whersupon, the bill was read the second time, passed and ordered to be printed.

Mr. Saunders, in behalf of the same committee, reported back to the House a bill to prevent imitation coinage, with a substitute, and recommended that the substitute be passed.

Whereupon, the bill was read the second time, and, on motion of Mr. Erwin, the bill and amendment were laid on the table.

The special order of the day coming up,

On motion of Mr. Cherry, of Bertie, it was postponed until Tuesday next, and made the special order, at one o'clock.

Twelve o'clock having arrived, the special order for that hour, a bill to lay off this State into Fifty Senatorial Districts, was taken up.

Mr. McIntyre, of Richmond, moved to amend, by striking out all after the enacting clause, and inserting the bill submitted by him, for the same purpose, as a substitute.

Pending the question on which motion, the bill and amendment were, on motion of Mr. Amis, of Bertie, laid on the table, and made the special order for Tuesday next, 11 o'clock.

A message was received from the Senate, concurring in the proposition to raise a Joint Select Committee on the Lunatic Asylum, and informing the House that Messrs. Cunningham, Lillington, Hoke and Thompson form the Senate branch of the Committee.

The committee on the part of the House consists of Messrs. Dobbin, Amis, Johnson, Strange and Erwin.

Mr. McDugald, in behalf of the Committee on the Judiciary, reported back to the House a bill to abridge the duties of Grand Jurors, in the county of Balten, and recommended that it do not pass.

Whereupon, on motion of Mr. McDugald, the bill was laid on the table.

Mr. Saunders, Chairman in behalf of same committee, reported back to the House a bill concerning the official bonds of sheriffs, coroners and constables, and recommended its passage.

Whereupon the bill was read the second time and passed

Mr. Saunders, in behalf of same committee, reported back to the House a bill abridging the powers of Grand Jurors, and recommended that it do not pass.

Whereupon the bill was read the second time and rejected—Yeas 16, nays 85.

Mr. Williams, of Warren, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Byrd, Caldwell, of Guilford, Daniel, Enre, Fagg, George, Godwin, Jarvis, Love, Lyon of Granville, Martin, Munday, McDugald, Sanders of Johnson, Styles and Tripp—16.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Alford, Allen, Amis, Avery, Barco, Barrett, Black, Brooks, Bryant, Bynum of Chatham, Bynum of Northampton, Calloway, Carmichael, Cherry, Chesnutt, Cook, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Erwin, Furr, Gaither, Gwynn, Harris of Caharrus, Harris of Davidson, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Ho'eman, Johnson, Lander, Leach, Lockhart, Long of Caswell, Long of Randolph, Lowry, Lyon of Orange, Marshall, Matthews, Miller, McIntyre, Norfleet, Pegram, Perry, Perkins, Phelps, Phillips, Puryear, Reid of Rockingham, Rives, Russell, Saunders of Wake, Sauls, Scales, Sherrill, Shimpock, Simons, Smith, Spruill, Stubbs, Teague, Thornburg, Tolson, Trexler, Turner of Iredell, Turner of Orange, Watters, Walton, Waugh, Webb, Wheeler, Whitehurst, Williams of Greene, Williams, of Warren, Wiley, Wilder, Wynne and Wood—85.

Mr. Saunders, in behalf of same committee, reported back to the House a bill to expedite trials and avoid unnecessary costs in punishing petty offences, and recommended that it do not pass.

Whereupon, the bill was read the second time and rejected—Yeas 39, nays 74.

Mr. Munday demanded the yeas and nays.

Thoss who voted in the affirmative are :

Messrs. Barrett, Byrd, Caldwell of Guilford, Carmichael, Cook, Daniel, Erwin, Eure, Fagg, Foreman, Godwin, Gwynn, Harris of Davidson, Hawkins, Love, Lyon of Granville, Lyon of Orange, Martin, Miller, Mooring, Munday, McDugald, Phelps, Sanders of Johnson, Styles, Trexler, Tripp, Waltun, Williams of Greene, Wood and Wynne—39.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Alford, Allen, Amis, Avery, Barco, Black, Blow, Brooks, Bryant, Bynnin of Chatham, Bynum of Northampton, Calloway, Cherry, Chesnut, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Furr, Gaither, George, Harris of Cabarrus, Herring, Hill of Caswell, Holeman, Jarvis, Johnson, Jones, Lander, Leach, Lockhart, Long of Caswell, Long of Randolph, Lowry, Marshall, Matthews, Mills, McIntyre, Norfleet, Pegram, Perry, Perkins, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Saunders of Wake, Sauls, Scales, Sherrill, Shimpock, Simons, Smith, Spruill, Stubbs, Teague, Thornburgh, Tolson, Turner of Iredell, Turner of Orange, Waters, Waugh, Webb, Wheeler, Whitehurst, Williams of Warren, Wilder and Hill of Duplin—74.

AFTERNOON SESSION.

The following engrossed bills from the Senate were severally read the first time and passed :

A bill to incorporate the Charleston, Blue Ridge and Chattanooga Railroad company :

A bill to repeal the 4th section of an act passed by the General Assembly, at its session of 1850-'51, entitled an act to amend an act, entitled an act to incorporate the Caldwell and Ashe Turnpike company;

A bill to incorporate the North Carolina State Agricultural Society.

An engrossed bill from the Senate to emancipate Lewis Williams, was read the first time.

Mr. Miller, of Caldwell, moved its rejection, and demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Alford, Allen, Amis, Barco, Barrett, Carmichael, Cherry, Eure, Furr, Godwin, Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Jones, Lowry, Lyon, of Granville, Martin, Marshall, Matthews, Miller, Munday, Norfleet, Perry, Phelps, Russell, Sanders of Johnson, Saunders of Wake, Sherrill, Shimpock, Smith, Spruill, Styles, Tolson, Tripp, Turner of Orange, Watters, Walton, Ward, Webb, Whitehurst, Wiley, Wilder and Wynne—45.

Those who voted in the negative, are :

Messrs. Black, Blow, Brooks, Bryant, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of Guilford, Calloway, Chesnutt, Cook, Corbett, Daniel, Dobbin, Dobson, Dunn, Durham, Ellis, Erwin, Gaither, George, Gwynn, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lockhart, Long of Caswell, Long of Randolph, Lyon of Orange, McDugald, Pegram, Perkins, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sauls, Scales, Simons, Stubbs, Sutton, Teague, Thornburg, Trexler, Turner, of Iredell, Waugh, Wheeler, Williams of Greene and Wood—53.

So the House refused to reject.

A message was received from the Senate, transmitting the following engrossed bills with amendments, which were severally read, amendments concurred in, and the bills ordered to be enrolled :

A bill to incorporate the Chapell Hill and Durhamville Plank Road company ;

A bill to incorporate the Lumberton and Cape Fear Plank Road Company ;

A bill to incorporate the Fayetteville and Raleigh Plank Road Company ;

A bill to incorporate the Haywood and Chapel Hill Plank Road company ;

A bill in relation to the collections of partnership and other debts.

The report of Adjutant General, R. W. Haywood, was received and ordered to be transmitted to the Senate with a proposition to print.

Mr. Cook, of Wilkes, introduced a bill to lay off the State into eight Congressional Districts ; which was read the first time, passed, and ordered to be printed.

Mr. Norfleet, of Edgecombe, introduced a bill to repeal an act passed at the Session of the General Assembly of 1811, entitled an act to alter the mode of holding elections in the county of Edgecombe ; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Stubbs, of Beaufort, presented the memorial of Jesse G. Bryan, of Beaufort, county ; which was referred to the Committee on Corporations and Grievances.

Mr. Wheeler, of Lincoln, presented a petition from Stephen Horton, of Wake county, for services rendered to the Raleigh and Gaston Railroad ; which was referred to the Committee on Claims.

On motion the House adjourned.

FRIDAY, Dec. 10th, 1852.

On motion Mr. Adams, of Iredell, a message was ordered to be sent to the Senate, proposing to go into an election of a superintendent of Common Schools this day at 11 o'clock.

A message was received from the Senate, refusing to concur in the proposition of the House to go into an election of superintendent of Common Schools this day at 11 o'clock.

Mr. Phillips, of Orange, in behalf of the select committee of five to whom was referred a bill to repeal the 18th and 19th chapters of the Statutes passed at the session of the General Assembly in 1848 49, reported the same back to the House and recommended its passage.

Whereupon the bill was read the second time.

On motion of Mr. Mills, of Rutherford, the special order for to-day, at 11 o'clock, was postponed 'til 1, and made the special order for that hour.

The House resumed the consideration of the bill, reported by select Committee, and on motion of Mr. Holeman, of

Person, the bill and amendments were indefinitely postponed—Yeas 63, nays 40.

Mr. Mills, of Rutherford, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albertson, Alford, Allen, Amis, Barco, Brooks, Bryant, Bynum of Chatham, Caldwell of Guilford, Cherry, Chesnutt, Dortch, Durham, Erwin, Foreman, Furr, George, Harris of Cabarrus, Harris of Davidson, Herring, Holeman, Jarvis, Johnson, Jones, Leach, Lockhart, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, McDugald, McIntyre, McNeill, Norfleet, Perry, Perkins, Phelps, Puryear, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Sauls, Shimpock, Simons, Smith, Spruill, Stubbs, Sutton, Tolson, Trexler, Tripp, Watters, Walton, Ward, Webb, Whitehurst, Williams of Greene, Wiley, Wilder and Wood,—63.

Those who voted in the negative are :

Messrs. Adams, Avery, Barrett, Black, Blow, Burton, Byrd, Christmas, Cook, Cotten, Corbett, Daniel, Dobson, Dunn, Ellis, Eure, Gaither, Hawkins, Hill of Caswell, Hill of Duplin, Lander, Long of Randolph, Lowry, Love, Miller, Mills, Mooring, Munday, Phillips, Reid of Duplin, Scales, Sherrill, Strange, Teague, Thornburg, Turner of Iredell, Turner of Orange, Waugh, Wheeler, and Williams of Warren—40

Mr. Caldwell, of Guilford, chairman, in behalf of the Committee on Corporations, reported back the following bills, and recommended their passage :

A bill to incorporate the Western Railroad company;

A bill to incorporate the Caswell Plank Road Company;

A bill to incorporate the Salisbury, Mocksville and Wilksboro' Plank Road company;

A bill to incorporate the Washington and Tarboro' Plank Road company;

A bill to incorporate King Solomon's Lodge, No. 133, Ancient York Masons and Masonic Academy at Long Creek, in the county of New Hanover;

A bill to amend an act, entitled an act to incorporate the town of Lumberton, passed at the session of the General Assembly of 1850-51.

Whereupon, they were severally read the second time and passed

A message was received from his Excellency the Governor, informing the House that there were three vacancies in the Board of Trustees of the University, caused by the death of Dr. Thomas N. Cameron, Hon. W. B. Shepard and Joseph B. Skinner, Esq.

Also, transmitting the report of the President of the Petersburg, and Greenville, and Roanoke Railroad company.

On motion, the message was ordered to be transmitted to the Senate with a proposition to print the report concerning the Railroad companies.

A communication was received from the Public Treasurer, transmitting the statement of the condition of the Wadesboro' bank, the 24th of Nov. 1852, and the statement of the condition of the Merchants' bank at Newbern, the 23d of Nov. 1852.

Which were ordered to be sent to the Senate, with a proposition to print.

12 o'clock having arrived, the special order of the day for that hour, the bill to amend the Constitution of North Carolina, was taken up.

The question pending. being the motion of Mr. Waugh to reconsider.

Mr. Avery, of Burke, moved to lay upon the table.

Which motion prevailed—Yeas 56, nays 54.

Mr. Cherry, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Avery, Barco, Barrett, Black, Blow, Bryant, Burton, Byrd, Chestoutt, Corbett, Dobbin, Dobson, Dortch, Duon, Durham, Ellis, Foreman, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lockhart, Loog of Caswell, Lyon of Granville, Lyco of Orange, Martin, Marshall, Mills, Mooring, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Saunders of Wake, Sauls, Scales, Sherrill, Strange, Sutton, Turner of Orange, Waltoo, Ward, Waugh, Wheeler, Williams of Warren, Wilder and Wood—56

Those who voted in the negative, are :

Messrs. Albertson, Alford, Amis, Brooks, Bynum, of Chatham, Caldwell of Guilford, Calloway, Carmichael, Cherry, Collins, Cook, Cotten, Daniel, Erwin, Eure, Furr, Gauthier, Godwin, Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Matthews, Miller, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnsoo, Shimpeck, Simons, Smith, Spruill, Styles, Stubbs, Teague, Thornburgh, Tolson, Trexler, Tripp, Turner of Iredell, Watters, Webb, Whitehurst, Williams of Greene, Adams, Wiley and Wynne—54.

A bill to establish a Homestead Freshhold was taken up and read the second time.

Mr. Cook, of Wilkes, moved the following amendment :

Be it further enacted, In all cases, where a man has not fifty acres of land, he shall be allowed to enter fifty acres of any of the vacant lands lying any where in the State, and he shall be allowed to get a State grant for the same, free of charge.

Pending the question on which amendment, the House took a recess.

AFTERNOON SESSION.

Mr. McDugald, of Bladen, introduced a bill to incorporate the Colly Navigation company, in the county of Bladen; which was read the first time and passed, and referred to the Committee on Corporations.

Mr. Sherrill, of Lincoln, introduced a bill to authorize Dr. N. M. Powell and others, to erect a free bridge at or near Buffalo Shoals, between Catawba and Iredell counties; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Munday, of Macon, introduced a bill to authorize the acting Justices of Macon to abolish jury trials, in the County Court of said county; which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Strange, of New Hanover, introduced the following resolutions, which were read and *unanimously* adopted, and ordered to be transmitted to the Senate:

WHEREAS, there was formerly a supply of water on the bar, at the mouth of Cape Fear River, of a depth sufficient to float the largest size merchant ship;

AND WHEREAS, owing in some measure to the action of the General Government, in building jetties for the protec-

tion of its Public Works, situated adjacent thereto, the channel has been so filled up, and navigation so obstructed, that the commercial interests of every section of the State, dependent on that outlet, are likely to suffer serious injury;

AND WHEREAS, by an actual survey, made by a Board of Engineers, skilful and competent, it has been ascertained that a permanent channel of the depth of 20 feet can be easily obtained:

Therefore,

Resolved, That our Senators and Representatives in Congress are hereby earnestly requested to use all means to procure a sufficient appropriation for deepening the said channel, and otherwise improving the same in such manner as may be most expedient.

Resolved, That the Governor be requested to transmit a copy of these resolutions to our Senators and Representatives, with a request that they will lay them before their respective Houses.

Mr. Norfleet, of Edgecombe, introduced a bill to incorporate the Tarboro' and Rocky Mount Plank Road company; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Reid, of Duplin, introduced a bill in relation to wills and testaments; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Waugh, of Stokes, introduced the following resolution, which was read the first time and passed:

Resolved, That the resolution passed at this session of the General Assembly, making an appropriation for furnishing the Capitol, be, and the same is hereby rescinded.

Mr. Tripp, of Beaufort, introduced a bill to amend an act entitled an act to incorporate a Bank in the town of Wash

ington, in the county of Beaufort, passed at the last session of the General Assembly ; which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Cook, of Wilkes, introduced a bill to divide the county of Wilkes ; which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Dobson, of Surry, introduced a bill to repair the road from the town of Dobson, in the county of Surry, to the Virginia line, by way of Fisher's Gap ; which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Avery, of Burke, introduced a bill to authorize and empower Milton W. Kincaid, late sheriff of Burke county, to collect arrearages of taxes ; which was read the first time and passed.

Mr. Calloway, of Ashe, introduced a bill to establish a public road from the stage road, at Jonas Burkett's, in Ashe county, to the Thin Top Fork road ; which was read the first time and passed.

Mr. Hill, of Caswell, introduced a bill to incorporate Clinton Lodge ; which was read the first time and passed.

Mr. Sherrill, of Lincoln, presented the resignation of Franklin D. Reinhart, as a Justice of the Peace for the county of Catawba ; which was read and accepted, and ordered to be transmitted to the Senate.

Mr. Watters, of Brunswick, introduced a bill relative to St. Phillip's Church, in Smithville ; which was read the first time and passed.

Mr. Mills, of Rutherford, introduced the following resolution, which was read and laid over under the rule:

Resolved, That this House hold night sessions, from and after Monday next, convening at 7 o'clock.

Mr. Strange, of New Hanover, introduced a bill to incorporate the Ladies' Benevolent Society, in the town of Wilmington; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Avery, of Burke, introduced a bill to appoint the time of the meeting of the General Assembly; which was read the first time and passed.

Mr. Johnson, of Guilford, presented a memorial, which was referred to the Committee on Finance.

Mr. Caldwell, of Guilford, presented a memorial, which was referred to the Committee on Finance.

Mr. Wiley, of Guilford, presented a memorial, which was referred to the Committee on Finance.

Mr. Puryear, of Surry, presented a memorial, which was referred to the Committee on Internal Improvements.

Mr. Leach, of Davidson, presented a memorial, which was referred to the Committee on Propositions and Grievances.

Mr. Leach, of Davidson, introduced the following resolutions, which were read:

1. *Resolved*, That, while struggling freedom every where enlists the warmest sympathy of the people of North Carolina, that they still adhere to the doctrines of the Father of his Country, as announced in his Farewell Address, of

keeping themselves free from all entangling alliances with foreign countries, and of never quitting their own to stand upon foreign ground.

2. *Resolved*, That our mission as a republic, is *not* to propagate our opinions, or impose on other countries our form of government, by *artifice* or *force*, but to teach by example, and show by our success, moderation and justice, the blessings of self-government, and the advantage of free institutions.

3. *Resolved*, That the foregoing resolutions be transmitted to his Excellency, the Governor, to our Senators and Representatives in Congress, as an expression of the opinion of this Legislature.

Pending a discussion on which,

The House adjourned.

SATURDAY, Dec. 11th, 1852.

The House resumed the consideration of the unfinished business of yesterday—the bill to establish a homestead freehold.

The question pending, being the amendment of Mr. Cook, it was rejected.

Mr. Caldwell, of Guilford, moved the following amendment, which was rejected:

Add to 2d section, the following: "Any other species of property held or owned by the owner thereof, shall be liable to execution, and the payment of his debts."

Mr. Puryear, of Surry, moved to amend, by striking out the fifth section.

Which amendment was rejected.

Mr. Avery, of Burke, moved the following amendment, which was adopted.

Be it further enacted, That no husband shall be entitled to claim the benefit of this act, in case at the time of his claiming under its provisions, his wife shall be seized and possessed in her own right, free from the control of said husband, of a freehold of fifty acres of land, with a dwelling House thereon, or of land of the value of five hundred dollars.

Mr. Phillips moved to amend, by striking out in the 7th line of 3rd section, the words, "when he disseized of more land." and insert, "when he disseized of land which shall exceed in value three times the value of the Homestead; in which case, he shall be entitled to in the excess."

Which amendment was adopted.

Mr. Phillips moved to amend, by striking out the 4th section.

Which was rejected.

Mr. Avery, of Burke, moved to amend, by inserting at the end of the 5th section, "provided that a less number of

acres than 50 may in all cases be allotted, if it be necessary so to reduce the quantity, in order that the Homestead Freehold may not exceed in value the said sum of five hundred dollars."

Mr. Reid, of Duplin, moved to amend the amendment, by adding, "provided, that if at any time after said freehold shall be laid off, the same shall increase in value above five hundred dollars, said freehold shall not be exempt from execution."

Pending the question on which amendment,

On motion, the bill and amendments were recommitted to the Committee on the Judiciary.

A message was received from the Senate, proposing to go into an election for a Superintendent of Common Schools, Monday at 11 o'clock.

Which proposition was concurred in.

A message was received from the Senate, transmitting an engrossed resolution, appropriating \$100,000 to the Central Railroad; which was read the first time and referred to the Committee on Internal Improvements.

On motion of Mr. Amis, of Granville, leave was granted to the committee to sit during the session of the House.

Mr. Leach, of Davidson, moved to reconsider the vote by which a bill to repeal the 18th and 19th chapters of the Statutes, passed at the session of the General Assembly in 1848-'49, was indefinitely postponed yesterday.

Which motion was not carried.

Mr. Wheeler, from the Select Committee, reported back to the house the bill to amend an act, passed 1848-49, chapter 195, to improve the navigation of the Catawba River, and recommended its passage.

Whereupon the bill was read the second time, and on motion, it was ordered to be printed, and made the special order for Monday next, 12 o'clock.

Mr. McDugald, of Bladen, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Avery, Barrett, Black, Blow, Burton, Byrd, Caldwell of Guilford, Carmichael, Cherry, Christmas, Cook, Corbett, Daniel, Dargan, Dobbin, Dobson, Dortch, Durham, Ellis, Erwin, George, Gwynn, Harris of Cabarrus, Hill of Caswell, Hill of Duplin, Jarvis, Johnson, Lander, Leach, Long of Randolph, Lowry, Love, Lyon, of Granville, Lyon of Orange, Marshall, Mills, Munday, McDugald, McIntyre, Phelps, Phillips, Puryear Reid of Rockingham, Rives, Russell, Sauls, Scales, Sherrill, Smith, Strange, Stubbs, Sutton, Teague, Thornburg, Trexler, Turner of Iredell, Turner of Orange, Walton, Ward, Waugh, Webb, Wheeler, Williams of Warren, Wiley, Wilder and Wood—68.

Those who voted in the negative are :

Messrs. Alford, Allen, Amis, Barco, Bryant, Bynum of Chatham, Calloway, Chesnutt, Dunn, Enre, Furr, Gaither, Godwin, Harris of Davidson, Hawkins, Herring, Holman, Jones, Lockhart, Long of Caswell, Martin, Matthews, Mooring, McNeill, Norfleet, Perry, Sanders of Johnson, Shipcock, Simons, Spruill, Tripp, Tolson, Watters and Williams of Greene—34.

On motion, the bill for dividing the county of Iredell was taken up, read the second time and rejected—Yeas 33, nays 60.

Mr. Spruill, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Avery, Blow, Byrd, Cook, Cotten, Erwin, Garther, Godwin, Gwynn, Harris of Davidson, Johnson, Love, Matthews, Miller, Milis, Pegram, Phillips, Puryear, Rives, Sanders of Johnson, Stubbs, Teague, Thornburg, Trexler, Tripp, Turner, of Iredell, Waugh, Williams of Greene, Wiley, Wood and Wynne—33.

Those who voted in the negative are :

Messrs. Albertson, Alford, Barco, Barrett, Black, Brooks, Bryant, Burton, Bynum of Chatham, Caldwell of Guilford, Chesnutt, Christmas, Collins, Corbett, Daniel, Dargan, Dobbin, Dortch, Dunn, Durham, Eure, Furr, George, Harris of Cabarrus, Hawkins, Herriag, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Jones, Lander, Lockhart, Long of Caswell, Lowry, Lyon, of Granville, Lyon of Orange, Martin, Marshall, Munday, McDugald, McIntyre, McNeill, Norfleet, Perry, Perkins, Phelps, Reid of Duplin, Reid of Rockingham, Sauls, Scales, Shimpock, Smith, Spruill, Strange, Sutton, Tolson, Turner of Orange, Webb, Whitehurst, and Williams of Warren—60.

Mr. Webb, of Rutherford, in behalf of the committee on revising or abolishing the militia laws, reported back to the House a bill concerning the militia of Rutherford county, with amendments, and recommended its passage.

Whereupon, the bill was read the second time, amended and passed.

Mr. Webb, in behalf of the same committee, reported back to the House a bill to repeal the 85th chapter of the Statutes, passed at the session of 1850-'51, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Webb, in behalf of the same committee, reported back to the House a bill to abolish the present militia laws of the State, and for other purposes, and recommended that it do not pass.

Whereupon, the bill was read the second time and rejected.

Mr. Webb, in behalf of the same committee, reported back to the House a bill to ascertain and keep on record the number of free white males between the ages of eighteen and forty five in this State, and to abolish the militia laws of the State, and recommended that it do not pass.

Whereupon, the bill was read the second time, and, on motion, laid on the table.

The annual statement of the condition of the Commercial Bank of Wilmington was received, and ordered to be transmitted to the Senate, with a proposition to print.

A message was received from the Senate, refusing to concur in the amendment of the House to the bill for the repeal of the county of Jackson,

Which being read,

Mr. Love, of Haywood, moved that the House adhere to its amendment.

Which motion prevailed—Yeas 64, nays 34.

Mr. Smith, of Halifax, demended the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Alford, Avery, Barrett, Black, Blow, Burton, Byrd, Caldwell of Guilford, Carmichael, Cook, Corbett, Dobbin, Dobson, Dunn, Durham, Ellis, Erwin, Gaither, George, Gwynn, Harris of Davidson, Hill of Caswell, Hill of Duplin, Jarvis, Johnson, Leach, Long of Randolph, Lowry, Love, Lyon of Orange, Marshall, Matthews, Mills, Munday, McDugald, McIntyre, Pegram, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Saunders of Wake, Scales, Sherrill, Shimpoek, Styles, Strange, Sutton, Teague, Thornburg, Tolson, Trexler, Turner, of Iredell, Turner of Orange, Walton, Waugh, Webb, Williams of Greene, Wood and Adams—64.

Those who voted in the negative, are :

Messrs. Albertson, Amis, Barco, Brooks, Bryant, Cherry, Chesnutt, Daniel, Dortch, Eure, Godwin, Harris, of Cabarrus, Hawkins, Herring, Holeman, Jones, Lockhart, Long of Caswell, Lyon of Granville, Martin, Miller, Mooring, McNeill, Norfleet, Perry, Phelps, Sauls, Scales, Simons, Smith, Spruill, Stubbs, Tripp, Williams of Warren, and Wilder—34.

Mr. Caldwell, chairman, in behalf of the Committee on Corporations, reported back to the House a bill to incorporate the Bank of Concord, and recommended its rejection.

Whereupon, the bill was read the second time ;

And pending the question on the passage of the bill,

The House took a recess.

AFTERNOON SESSION.

On motion,

Resolved, That the use of the Commons' Hall be tendered to the professors and pupils of the Deaf and Dumb Asylum, on Monday evening next.

In pursuance of the joint order of the two Houses, the House now proceeded, with the concurrence of the Senate, to the appointment of Justices of the Peace for the several counties in the State.

Which being accomplished,

On motion, the House adjourned until Monday next, at 10 o'clock.

MONDAY, Dec. 13th 1852.

The House resumed the consideration of the bill to establish the Bank of Concord.

The question being upon the passage of the bill, its second reading, it was rejected.

On motion of Mr. Erwin, of Burke and McDowell, the bill to improve county prisons, and to establish houses of correction, was taken from the table and placed on the file of bills on their second reading.

The Committee on Enrolled Bills for the week consists of Messrs. Dobson, Perkins, Sanders of Johnson, Lockhart and Furr.

Mr. Avery, of Burke, reported back to the House the engrossed resolution from the Senate, concerning the North Carolina Railroad, and recommended its passage.

Whereupon, the resolution was read the second time and passed.

Mr. Avery, of Burke, moved that the rule be suspended, and that the bill be put on its third reading.

Which motion was carried.

And the bill was read the third time and passed.

On motion of Mr. Avery, the rule was suspended, and the resolution ordered to be enrolled.

A message was received from the Senate, informing the House that Messrs. Barrow, Kelly, and Arendell, from the Senate branch of the committee on enrolled bills for the week.

Mr. Caldwell, of Guilford, Chairman of the Committee on Corporations, reported back to the House the following bill,

Which were severally laid on the table.

A bill to incorporate Stokes Lodge, No. of Ancient York Masons in the town of Concord ;

A bill to incorporate the Trustees of Mattamuskeet Academy ;

A bill to incorporate Salem Lodge, No. 36, Odd Fellows, in the town of Salem, in the county of Forsyth ;

A bill to incorporate Long Creek Division No. 102, of the Sons of Temperance in New Hanover county ;

A bill to incorporate Wayne Institute ;

A bill to incorporate the Goldsboro' Normal School ; ✓

A bill to incorporate Lawrenceburg High School in the county of Richmond.

A bill for the better regulation of the town of Louisburg in Franklin county, was read the second time and passed.

Mr Cherry, chairman, in behalf of the committee on Finance, reported that the Committee had examined the accounts of the Comptroller and Treasurer, and that the Com-

mittee were pleased to state that those officers had performed the duties of their offices well ; that every thing in their respective departments was well done.

Mr. Avery, of Burke, moved that a message be sent to the Senate proposing to ballot for a Public Treasurer, to-day, at one o'clock.

Which motion prevailed.

On motion of Mr. Leach, of Davidson, it was

Ordered, That a message be sent to the Senate, proposing to ballot for United States Senator, at 12 o'clock.

On motion of Mr. Webb, of Rutherford, the bill calling a Convention to amend the Constitution of North Carolina was taken from the table, ordered to be printed, and placed on the file of Bills on their second reading.

A message was received from the Senate, proposing to rescind the joint order of the two Houses to adjourn *sine die* the 15th instant, and proposing that the two Houses adjourn the 22d instant.

Mr. McNeill called for a division of the question.

The question recurring—shall the proposition of the Senate to rescind be concurred in ? it was decided in the affirmative—Yeas 81, nays 22.

Mr. Tolson, of Anson, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Allen, Amis, Avery, Barco, Black, Bryant, Bynum of Chatham, Caldwell, of Guilford, Carmichael, Collins,

Cotten, Cook, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Erwin, Foreman, George, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Johnson, Lander, Leach, Lockhart, Long of Caswell, Long of Randolph, Lyon of Granville, Martin, Marshall, Matthews, Mills, Mooring, Munday, McDugald, McIntyre, Norfleet, Pegram, Perry, Phelps, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Sherrill, Shimpock, Smith, Strange, Stubbs, Sutton, Teague, Thornburg, Tolson, Turner of Iredell, Turner of Orange, Ward, Waugh, Webb, Williams, of Warren, Wiley, Wilder, Phillips and Wood—81.

Those who voted in the negative, are :

Messrs. Blow, Byrd, Calloway, Chesnutt, Daniel, Dargan, Eure, Furr, Gaither, Holeman, Jones, Lowry, Lyon of Orange, Miller, McNeill, Simons, Spruill, Trexler, Tripp, Watters, Whitehurst, and Williams of Greene,—22.

The question then being put—shall the House concur in the proposition of the Senate to adjourn *sine die*, the 22d instant?

It was decided in the affirmative—Yeas 77, nays 35.

The yeas and nays having been demanded,

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Allen, Barco, Black, Blow, Brooks, Bryant, Burton, Bynum, of Chatham, Byrd, Carmichael, Cherry, Chestnutt, Daniel, Dargan, Dortch, Dunn, Ellis, Eure, Furr, Gaither, George, Godwin, Harris of Davidson, Herring, Hill of Duplin, Jarvis, Johnson, Jones, Lander, Lockhart, Long of Randolph, Lowry, Lyon of Orange, Martin, Marshall, Matthews, Mills, Munday, McDugald, McIntyre, Pegram, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Sauls, Shimpock, Simons, Smith, Spruill, Styles, Sutton, Thornburgh, Tolson, Trexler, Turner of Iredell, Watters, Walton, Ward, Waugh, Webb, Williams of Greene, Williams of Warren, Wiley Wilder and Wood—77.

Those who voted in the negative, are :

Messrs. Amis, Avery, Caldwell of Guilford, Calloway, Christmas, Cook, Collins, Cotten, Corbett, Dobbin, Dobson, Erwin, Foreman,

Gwynn, Hill of Caswell, Holeman, Lyon of Granville, Miller, Mooring, McNeill, Norfleet, Perry, Phillips, Puryear, Reid of Duplin, Saunders of Wake, Scales, Sherrill, Strange, Stubbs, Teague, Tripp, Turner of Orange, Wheeler and Whitehurst—35.

Mr. Reid of Duplin, in behalf of the Committee on Private Bills, reported to the House a bill in favor of John Smith, of New Hanover, and recommended its passage.

Whereupon, the bill was read the first time and passed

Mr. Webb, of Rutherford, in behalf of same committee, reported back to the House a bill authorizing the Sheriff of Rutherford county to collect arrears of taxes, and recommended its passage.

Whereupon, the bill was read the second time and rejected.

Mr. Collins, Chairman, in behalf of same committee, reported back to the House a bill to authorize John B Gardner, to collect arrearages of taxes in Yancy county, for the year 1850, and recommended its passage.

Whereupon, the bill was read the second time and passed, and the rule being suspended, it was read the third time, passed and ordered to be engrossed.

Mr. Collins, in behalf of same committee, reported back to the House a resolution in favor of H. T. Dyer, and recommended that it do not pass.

Whereupon, it was read the second time and rejected.

Mr. Collins, in behalf of same committee, reported back to the House a bill to extend the powers of the Commissioners of Navigation, for the port of Washington, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Collins, in behalf of same Committee, reported back to the House a bill to authorize Mills Higgins, Sheriff of McDowell county, to collect arrears of taxes due him, and recommended that it do pass.

Whereupon, the bill was read the second time, and on motion, laid on the table.

Mr. Collins, in behalf of same committee, reported back to the House a resolution in favor of H. G. Hampton, and recommended that it do pass.

Whereupon the resolution was read the second time.

Mr. Dobson moved to amend, by striking out all after the word "resolved" and inserting a substitute for the resolution.

Pending the question on the amendment,

On motion of Mr. Puryear, of Surry the bill and amendment were laid on the table.

A message was received from the Senate, informing the House that Messrs. Ward and Lane form the Senate branch of the committee to superintend the election of Superintendent of Common Schools.

The committee on the part of the House consists of Messrs. Johnson and Fonville.

In pursuance of the joint order of the two Houses, the hour having arrived, the House proceeded to ballot for a

general Superintendent of Common Schools, Messrs. Wiley, Mooring and Williams being in nomination, with the following result:

FOR MR. WILEY.

Messrs. Speaker, Adams, Albertson, Alford, Amis, Barco, Brooks, Caldwell of Guilford, Calloway, Carmichael, Cherry, Cook, Cotten, Daniel, Dargan, Erwin, Eure, Gaither, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Jones, Leach, Lockhart, Long of Randolph, Lowry, Love, Matthews, Mills, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Shimpock, Simons, Smith, Spruill, Stubbs, Styles, Teague, Thornburg, Turner of Iredell, Turner of Orange, Watters, Wehb, Whitehurst, Williams of Greene, Blow and Wynne—55.

FOR MR. WILLIAMS.

Messrs. Allen, Barrett, Corbett, Dobbin, Fonville, Herring, Long of Caswell, Martin, Marshall, Pegram, Russell, Saunders of Wake, Sauls, Scales, Sherrill, Strange and Sutton—17.

FOR MR. MOORING.

Messrs. Avery, Black, Bryant, Burton, Byrd, Chesnutt, Christmas, Dobson, Dortch, Dunn, Durham, Ellis, George, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lyon of Granville, Lyon of Orange, McNeill, Norflet, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Walton, Ward, Waugh, Wheeler, Williams of Warren, Wilder and Wood—32.

FOR MR. HARPER.

Mr. Miller—1.

On motion of Mr. Tolson, of Anson, a message was sent to the Senate, proposing to go into an election for a Judge of the Superior Court, to morrow at 11 o'clock.

On motion of Mr. McNeill, of Robeson, a message was ordered to be sent to the Senate, to go into a ballot for a Solicitor for the 7th Judicial District.

On motion of Mr. Cherry, of Bertie, it was ordered that a message be sent to the Senate, proposing to vote for four Trustees of the University, to morrow at 12 o'clock.

A message was received from the Senate, agreeing to the proposition to vote for Treasurer, to-day at 1 o'clock, and informing the House that Messrs. Boyd and Albritton form the Senate branch of the committee to superintend the election.

The committee on the part of the House, consists of Messrs. Avery and Thornburg.

Mr. Johnson, from the committee to superintend the election of Superintendent, submitted the following report : which was concurred in :

That 150 votes were cast : that 76 were necessary to a choice—that Mr. Wiley received 79, Mr. Mooring 43, Mr. Williams 27, and Mr. Harper 1 : that as Mr. Wiley had received a majority of all the votes cast—he was duly elected.

In pursuance of the special order of the day, the bill to incorporate the North Carolina and Tennessee Railroad Company was taken up.

The question pending being the amendment of Mr. Heleman, of Person, it was adopted.

The question then recurring upon the amendment of Mr. Avery, as amended, it was rejected—Yeas 40, nays 65.

Those who voted in the affirmative are :

Messrs. Adams, Avery, Black, Burton, Byrd, Caldwell of Guilford, Caldwell of Lincoln, Calloway, Carmichael, Cook, Corbett, Erwin,

Gwynn, Harris of Cabarrus, Hill of Duplin, Johnson, Long of Randolph, Lowry, Love, Miller, Mills, Munday, McDugald, Phillips, Reid of Duplin, Russell, Sherrill, Shimpock, Styles, Strange, Sutton, Teague, Thornburgh, Tripp, Turner of Iredell, Walton, Ward, Webb, Wheeler, Whitehurst and Wood—40.

Those who voted in the negative, are :

Messrs. Albertson, Alford, Allen, Amis, Barco, Barrett, Blow, Brooks, Bryant, Bynam of Chatham, Cherry, Chesnut, Collins, Cotten, Daniel, Dobson, Dortch, Dunn, Durham, Ellis, Eure, Fonville, Foreman, Furr, Gaither, George, Godwin, Harris of Davidson, Herring, Hill of Caswell, Jarvis, Lander, Leach, Lockhart, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Mooring, McIntyre, McNeill, Norfleet, Pegram, Perry, Perkins, Puryear, Reid of Rockingham, Rives, Sanders of Johnson, Sauls, Scales, Simons, Smith, Spruill, Stubbs, Tolson, Turner of Orange, Waugh, Williams of Warren, Wilder, Holeman and Wynne—65.

The question then recurring—shall the bill pass its second reading? Mr. Avery, of Burke, moved to lay it upon the table.

Which motion prevailed.

A resolution authorising the Governor to furnish the county of Union with standard weights and measures was read the second time and passed, and the rule being suspended, it was read the third time, passed and ordered to be engrossed.

A bill to incorporate the Caswell Fire Insurance company, in the town of Milton, Caswell county, North Carolina, was read the second time and passed.

On motion of Mr. Dortch, of Wayne, the bill to incorporate the North Carolina and Tennessee Railroad was taken from the table.

Mr. Dortch moved to reconsider the vote by which the amendment of Mr. Avery was rejected.

On motion of Mr. Avery, the motion to reconsider was laid on the table.

On motion, Mr. Erwin, of Burke and McDowell, was added to the Committee on the Institution for the Deaf, Dumb and Blind.

In pursuance of the joint order of the two Houses, the hour having arrived, the House proceeded to vote for Treasurer, with the following result :

FOR MR. COURTS.

Messrs. Allen, Avery, Barrett, Black, Bryant, Burton, Calloway, Chesnutt, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, Foreman, George, Gwynn, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lockhart, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mooring, McNeill, Norfleet, Pegram, Perry, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Strange, Sutton, Tolson, Walton, Ward, Waugh, Wheeler, Wilder and Wood—53.

FOR MR. LOVE.

Messrs. Speaker, Adams, Albertson, Alford, Barco, Blow, Brooks, Byrd, Caldwell of Lincoln, Caldwell of Guilford, Carmichael, Cherry, Christmas, Collins, Cook, Cotten, Daniel, Erwin, Eure, Furr, Godwin, Harris of Cabarrus, Harris of Davidson, Johnson, Jones, Long of Randolph, Leach, Lowry, Matthews, Miller, Mills, Mundav, McDugald, Perkins, Phillips, Shimpock, Simons, Spruill, Styles, Stubbs, Teague, Thornburg, Trexler, Tripp Turner of Iredell, Turner of Orange, Waters, Webb, Whitehurst, Wiley, Williams of Warren and Wynne.—52

FOR MR. HINTON.

Messrs. Holeman, Smith and Williams of Greene—3.

FOR MR. DODGE.

Mr. Gaither—1.

A resolution in favor of G. Little was read the first time and passed.

Mr. Cherry, from the Committee on Finance, reported back to the House a resolution in favor of Chas. Latham, sheriff of Washington county, with an amendment, and recommended that it be adopted.

Whereupon, the resolution was read the second time, amended and passed.

And the rule being suspended, it was read the third time, passed and ordered to be engrossed.

Mr. Wheeler, from the Committee on Claims, reported back to the House a resolution in favor of Joseph Donelson, and recommended that it do not pass.

Whereupon, the resolution was read the second time and rejected—Yeas 29, nays 33.

Mr. Martin, of Franklin, moved to reconsider.

Which motion was lost—Yeas 30, nays 42.

The following bills were read the second time and passed:

A bill to incorporate the Trustees of Morning Sun Academy, in the county of Wake;

A bill to incorporate the town of New Salem, in the county of Randolph.

On motion of Mr. Amis, of Granville, the House adjourned.

TUESDAY, Dec. 14th, 1852.

A message was received from the Senate, informing the House that that body had laid on the table the proposition to vote for Solicitor of the 7th Judicial Circuit, this day a half-past 12 o'clock.

Also, the proposition to vote for Judge of the Superior Court, at 11 o'clock.

Also, the proposition to vote for four Trustees of the University, at 12 o'clock.

Mr. Avery, from the committee to superintend the election of Treasurer, submitted the following report; which was concurred in:

Whole number of votes polled was 151—necessary for a choice 76—Mr. Courts received 81, Mr. Love 66, Mr. Dodge 1, Mr. Hinton 3—that as Mr. Courts received a majority of all the votes cast, he is duly elected.

The following bills and resolutions were severally read the second time and passed:

A bill to incorporate the Duplin Plank Road company;

A bill to authorize James A. Turrentine, Sheriff of Orange county, to collect arrears of taxes due him;

A bill to amend an act, entitled an act to incorporate the Roanoke Valley Railroad company;

A bill to improve the public road leading from Holeman's Ford, on the Yadkin River, in Wilkes county, to the Tennessee line;

A bill to incorporate the Fayetteville Ice company ;

A bill to lay off a public road from Enoch Vannoy's Mill, in Wilkes county, to the Tennessee line ;

A resolution to furnish the Governor's residence ;

A bill on jury trials, in the county of Columbus ,

A bill to incorporate the North Carolina Steam Carriage and Plank Road company.

The following bills on their second reading, were severally laid on the table :

A bill to incorporate Harrison Division No. 273, Sons of Temperance ;

A bill to incorporate South Lowell Academy, in the county of Orange ;

A bill to incorporate Catawba Lodge No. 41, I. O. O. F ;

A bill to amend an act to incorporate Robeson Institute, in the county of Robeson ;

A bill to incorporate Lincoln Division of Sons of Temperance, in the town of Lincoln ;

A bill to to incorporate Woodville Division No. 217, Sons of Temperance, at Woodville, in the county of Perquimans.

The following bills and resolutions , were severally read the second time and rejected.

A resolution to furnish commissioned officers with holsters and pistols ;

A bill to authorize Milton W. Kincaid, late Sheriff of Burke county, to collect arrears of taxes ;

A bill to extend the authority of the Commissioners of the town of Raleigh ;

A bill to improve county prisons, and to establish houses of correction ;

A bill to amend the 104th chapter of the revised Statutes entitled an act concerning the public roads, fences and bridges in this State, was read and rejected—Yeas nays.
nays 97.

Mr. Holeman, of Person, demanded the yeas and nays.

Those who voted in the affirmative are :

None.

Those who voted in the negative are :

Messrs. Adams, Albertson, Alford, Allen, Amis, Avery, Barco, Barrett, Black, Brooks, Bryant, Burton, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Chesnutt, Christmas, Cook, Cotten, Corbett, Daniel, Dargan, Dobbin, Dobson, Dortch, Dunn, Ellis, Erwin, Eure, Fonville, Foreman, Furr, Gaither, George, Godwin, Harris of Cabarrus, Harris of Davidson, Herring, Hill of Duplin, Holeman, Jarvis, Johnson, Jones, Lander, Leach, Lockhart, Long of Caswell, Long of Randolph, Love, Lyon of Granville, Lyon of Orange, Martin, Matthews, Miller, Mills, Mooring, Munday, McDugald, McIntyre, McNeill, Norflet, Pegram, Perry, Perkins, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Sherrill, Shimcock, Simons, Smith, Spruill, Styles, Stubbs, Sutton, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Walters, Walton, Ward, Waugh, Webb, Whitehurst, Williams of Warren, Wiley, Wilder and Wynne
—97

A bill to incorporate the Atlantic, Tennessee and Ohio Railroad company, was read the second time, and, on motion of Mr. Spruill, of Bertie, referred to the Committee on Internal Improvements.

A message was received from his Excellency, the Governor, relative to Chairmen of Superintendents of Common Schools, which was read and ordered to be transmitted to the Senate, with a proposition to print.

Leave of absence was granted to Mr. Lockhart, from and after to-day.

Mr. Williams, of Warren, moved that a message be sent to the Senate, proposing to ballot for United States Senator, to-day at 12 o'clock.

Mr. Love, of Haywood, moved to amend, by striking out "to-day" and inserting "to-morrow."

Which amendment having prevailed, the motion was adopted.

On motion of Mr. Webb, of Rutherford,

Ordered, That a message be sent to the Senate, proposing to vote for Judge of the Superior Court, to-morrow at 1 o'clock.

Mr. Scales, of Rockingham, moved to send a proposition to the Senate, to vote for Solicitor of the 7th Judicial District to-day, at half-past 12 o'clock.

Mr. Spruill of Bertie, moved to amend, by striking out "to-day at half-past 12 o'clock" and inserting "to-morrow at half-past 11 o'clock."

Which amendment prevailed, and the motion was carried.

A message was received from the Senate, proposing to vote for *three Trustees* of the University to-day at 12 o'clock.

Also, a proposition to vote for Solicitor of the 1st Judicial Circuit to-morrow, at 12 o'clock, each of which propositions was concurred in.

Mr. Adams moved to reconsider the vote, by which the resolution in favor of H. T. Dyer, was rejected yesterday,

On motion, the motion to reconsider was indefinitely postponed.

A message was received from the Senate, informing the House that Messrs. Cunningham and Murray form the Senate branch of the Committee, to superintend the election of Trustees.

The Committee on the part of the House consists of Messrs. Turner of Orange, and

In pursuance of the joint order of the two Houses: the hour having arrived, the House proceeded to ballot for three Trustees of the University.

Mr. Amis, of Granville, moved to reconsider the vote by which a bill to amend 104th chapter of the Revised Statutes &c. &c., was rejected this morning.

On motion of Mr. Amis, the motion to reconsider was laid on the table.

The resignation of a Justice of the Peace for Surry county ; of Freeman Heath, of Caswell county ; of John W. Dawson and Joseph Ringold, of Pitt county, were received and accepted.

On motion of Mr. Leach, of Davidson, a bill to lay off the State into fifty Senatorial Districts was postponed and made the special order for Thursday 11 o'clock.

The special order for one o'clock, a bill to ascertain the will of the freemen of North Carolina, as to the call of a convention on the federal basis, was taken up.

Mr. Foreman, of Pitt, moved an amendment as a substitute for the bill.

Pending which,

On motion, the bill was postponed and made the special order for Friday next at 11 o'clock.

Mr. Turner, from the Committee, to superintend the election of 3 Trustees of the University, submitted the following report,

Which was concurred in:

That 158 votes were cast—that 80 were necessary to a choice; that Mr. Steele received 74; Mr. Hill 65; Mr. Dortch 56; Mr. Bynum 45; Mr. Smith 36; Mr. Cherry 36; Mr. Taylor 28; Mr. Clark 38; Mr. Hawkins 14; Mr. Arendell 4; Mr. Lillington 1; Mr. Alison 3; Mr. Green 1; Mr. J. B. Bynum 1; Mr. Norfleet 4; Mr. Avery 1; Mr. Wheeler, 1; Mr. Phillips 3; Mr. Thomas 1; Mr. W. E. Hill 3; Mr. Martin 1; Mr. Saunders 2; Mr. Amis 5; Mr. Collins 3; Mr. Troy 4; Mr. Person 2; Mr. Reid 1; Mr. McGeehee 11; Mr. Spruill 1; Mr. Warren, 1; Mr. Siler 1; Mr. Person 6; that as no one had received a majority of all the votes cast, there was no election.

AFTERNOON SESSION.

Mr. Tolson moved to take up the resolution offered by him yesterday and laid over under the rule.

Which motion was rejected—Yeas 20, nays 60.

Mr. Avery, of Burke, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Byrd, Daniel, Eure, Furr, Gaither, Jarvis, Jones, Lockhart, Long of Caswell, Lyon, of Granville, Martin, Miller, Mills, Sherrill, Simons, Smith, Spruill, Tolson and Trexler—20.

Those who voted in the negative are :

Messrs. Albertson, Alford, Avery, Barco, Barrett, Brooks, Bryant, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Christmas, Cook, Corbett, Dargan, Dobbin, Dortch, Durham, Erwin, George, Gwynn, Harris of Davidson, Herring, Hill of Caswell, Hill of Duplin, Holeman, Johnson, Leach, Long of Randolph, Lov, Lyon of Granville, Marshall, Matthews, Mooring, Munday, McDougal, McIntyre, Norfleer, Pegram, Perkins, Phelps, Phillips, Puryear, Reid of Rockingham, Rives, Sanders of Johnson, Scales, Shimpock, Styles, Strange, Stubbs, Teague, Thornburg, Tripp, Turner, of Iredell, Waugh, Webb, Wheeler, Williams of Greene, and Williams of Warren—69.

The unfinished business, the resolution offered by Mr. Leach, of Davidson, was resumed.

Mr. Avery, of Burke, moved to lay on the table.

Which motion was rejected—Yeas 46, nays 58.

Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Avery, Barrett, Black Bryant, Burton, Chesnutt, Christmas, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Foxville, Foreman, George, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lockhart, Long of Caswell, Lyon, of Granville, Lyon of Orange, Marshall, Mills, Mooring, Munday McNeill, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sauls, Strange, Sutton, Walton, Waugh, Wheeler, Williams of Warren, and Wilder—46.

Those who voted in the negative are :

Messrs. Albertson, Alford, Amis, Barco, Blow, Brooks, Bynum of Chatham, Byrd, Caldwell of Guilford, Calloway, Carmichael, Collins, Cook, Daniel, Dargan, Erwin, Eure, Furr, Gaither, Godwin, Gwynn, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Love, Martin, Matthews, Miller, McDugald, McIntyre, Perry, Perkins, Puryear, Sherull, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watters, Webb, Williams of Greene, Wiley, Adams and Wynne—58.

Mr. Waugh, of Stokes, offered the following amendment, which was rejected—Ayes 26, nays 61 :

Resolved, That nothing contained in the above resolutions shall be construed into a denial of the right of this government to intervene between the government of Spain and any other foreign power, whereupon such interposition may prevent the transfer of the island of Cuba from its present ownership.

Mr. Waugh demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Allen, Avery, Bryant, Burton, Byrd, Dobson, Fonville, Hill of Caswell, Hill of Duplin, Jarvis, Lockhart, Long of Caswell, Lyon of Orange, Marshall, Mooring, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Russell, Saunders of Wake, Sauls, Waugh, Wheeler and Wilder—26.

Those who voted in the negative, are :

Messrs. Adams, Alford, Amis, Barco, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Collins, Cook, Daniel, Dargan, Durham, Erwin, Eure, Furr, Gaither, George, Godwin, Gwynn, Harris of Davidson, Herring, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Lyon of Granville, Martin, Matthews, Miller, McDugald, McIntyre, Norfleet, Perry, Perkins, Puryear, Rives, Sanders of Johnson Sauls, Sherrill, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Sutton, Teague, Thornburg, Tolson, Tripp, Turner, of Iredell, Turner of Orange, Watters, Webb, Williams of Greene, Williams of Warren, Wiley and Wynne—61.

Mr. Hill, of Caswell, offered the following amendment, which was rejected—Yeas 34, nays 47 :

Resolved, That nothing herein contained shall be so construed as to condemn the United States for interfering and preventing any European power from forming a monarchy on the North American continent.

Mr. Hill, of Caswell, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Avery, Barrett, Burton, Byrd, Carmichael, Corbett, Dobson, Ellis, Fonville, George, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lockhart, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mooring, McNeill, Phelps, Reid of Duplin, Reid of Rockingham, Russell, Sauls, Scales, Sherrill, Waugh, Wheeler, Williams of Warren and Wilder—34.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Alford, Amis, Barco, Bynum of Chatham, Caldwell of Guilford, Calloway, Collins, Cook, Daniel Dargau, Durham, Erwin, Eure, Furr, Gaither, Godwin, Gwynn, Harris of Davidson, Holman, Jonnson, Jones, Leach, Long of Randolph, Lowry, Miller, McDugald, McIntyre, Perry, Perkins, Puryear, Rives, Shimpock, Simons, Spruill, Styles, Teague, Thornburg, Tolson, Tripp, Turner of Iredell, Turner of Orange, Watters, Webb, Williams of Greene and Wiley—47.

Mr. McNeill moved that the House now adjourn.

Which motion was lost—Yeas 26, nays 71.

Mr. Teague, of Iredell, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Avery, Barrett, Burton, Bynum of Chatham, Corbett, Durham, Ellis, George, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lyon of Orange, Marshall, Mooring, McNeill, Norfleet, Pegram,

Phelps, Reid of Duplin, Russell, Scales, Strange, Walton, Waugh and Wynne—26.

Those who voted in the negative, are:

Messrs. Adams, Albertson, Alford, Amis, Barco, Brooks, Bryant, Byrd, Callwell of Guilford, Calloway, Carmichael, Collins, Cook, Daniel, Dargan, Dobson, Dortch, Erwin, Eure, Fonville, Foreman, Furr, Gaither, Godwin, Gwynn, Harris of Davidson, Holeman, Johnson, Jones, Lander, Leach, Lockhart, Long of Caswell, Long of Randolph, Lowry, Love, Matthews, Miller, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Reid of Rockingham, Rives, Sanders of Johnson, Sauls, Sherrill, Shimcock, Simons, Smith, Spruill, Styles, Stubbs, Sutton, Teague, Thornburgh, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watts, Webb, Wheeler, Williams of Greene, Williams of Warren, Wiley, Marin and Wilder—71.

Mr. Wynne, of Hyde, moved that the House now adjourn.

The question of order being raised, the Speaker decided that the motion to adjourn was in order, although the same question had just been determined.

Mr. Caldwell, of Guilford, appealed from the decision of the Chair,

And the question being—shall the Speaker be sustained? it was decided in the affirmative—Yeas 78, nays 18.

Those who voted in the affirmative, are:

Messrs. Adams, Alford, Allen, Amis, Avery, Barco, Barrett, Bryant, Burton, Bynum of Chatham, Byrd, Calloway, Carmichael, Collins, Cook, Corbett, Daniel, Dargan, Dobson, Durham, Ellis, Fonville, Gaither, George, Godwin, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Johnson, Jones, Lander, Leach, Lockhart, Long of Randolph, Lowry, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Moorings, McNeill, Norfleet, Pegram, Perry, Perkins, Phelps, Phillips, Reid of Duplin, Reid of Rockingham, Russell, Sanders of Johnson, Sauls, Scales, Sherrill, Simons, Spruill, Strange, Stubbs, Sutton, Thornburg, Tolson, Tripp, Turner of Iredell, Turner of Orange, Walters, Ward, Webb, Wheeler, Williams of Greene, Williams of Warren, Wilder, Rives and Wynne—78.

Those who voted in the negative, are :

Messrs. Albertson, Caldwell of Guilford, Erwin, Eure, Gwynn, Harris of Davidson, Long of Caswell, Miller, McDugald, McIntyre, Puryear, Shimpock, Smith, Styles, Teague, Trexler, Walton and Wiley—18.

The question then recurring on the motion of Mr. Wynne, to adjourn.

It was decided in the negative—Yeas 26, nays 66.

Mr. Eure demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Allen, Avery, Bynum of Chatham, Corbett, Dunn, Ellis, Furr, George, Hill of Caswell, Hill of Duplin, Jarvis, Love, Marshall, Moor-
ing, McNeill, Norfleet, Pegram, Perry, Phelps, Saunders of Wake,
Scales, Strange, Tolson, Walton, Wilder and Wynne—26,

Those who voted in the negative are :

Messrs. Adams, Albertson, Alford, Amis, Barco, Barrett, Bryant, Burton, Caldwell of Guilford, Calloway, Carmichael, Collins, Cook, Daniel, Dobson, Erwin, Eure, Fonville, Gaither, Godwin, Gwynn, Harris of Davidson, Herring, Holeman, Johnson, Jones, Lander, Leach, Lockhart, Long of Caswell, Long of Randolph, Lowry, Lyon of Orange, Martin, Matthews, Miller, McDugald, McIntyre, Perkins, Phillips, Puryear, Reid of Rockingham, Sanders of Johnson, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Sutton, Teague, Thornburg, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watters, Vaughn, Webb, Wheeler, Williams of Greene, Williams of Warren, Wiley and Sherrill—66.

Mr. Scales, of Rockingham, moved that the House now adjourn.

Which motion was lost—Yeas 18, noes 67.

Mr. Phillips, of Orange, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Allen, Avery, Barrett, Durham, Ellis, George, Hill of Caswell, Jarvis, Long of Randolph, Love, Lyon of Granville, Mooring, Norfleet, Pegram, Reid of Duplin, Russell, Scales and Sherrill—18.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Alford, Amis, Barco, Bryant, Burton, Bynum of Chatham, Byrd, Caldwell of Guilford, Calloway, Carmichael, Collins, Cook, Corbett, Daniel, Dargan, Dobson, Erwin, Eure, Fonville, Furr, Gaither, Godwin, Gwynn, Harris of Davidson, Herring, Holeman, Johnson, Jones, Leach, Long of Caswell, Lowry, Lyon of Orange, Martin, Matthews, Miller, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Reid of Rockingham, Rives, Sanders of Johnson, Sauls, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Sutton, Teague, Thornburgh, Tolson, Tripp, Turner of Iredell, Turner of Orange, Watters, Waugh, Webb, Wheeler, Williams of Greene, Williams of Warren and Wiley—67.

Mr. Durham, of Orange, moved that the House adjourn.

Which motion was lost—Yeas 24, nays 63.

Mr. McDugald, of Bladen, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Avery, Burton, Corbett, Dobson, Durham, Ellis, Fonville, George, Herring, Hill of Caswell, Hill of Duplin, Lockhart, Love, Mooring, McNeill, Norfleet, Pegram, Reid of Duplin, Russell, Sauls, Sherrill, Strange and Waugh—24.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Alford, Amis, Barco, Barrett, Bryant, Bynum of Chatham, Byrd, Caldwell of Guilford, Calloway, Carmichael, Collins, Cook, Daniel, Dargan, Erwin, Eure, Furr, Gaither, Godwin, Gwynn, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long of Caswell, Lowry, Lyon of Orange, Martin, Marshall, Miller, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Reid of Rockingham, Rives, Sanders of Johnson, Scales, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Sutton, Teague, Thornburg, Tolson, Tripp, Turner of Iredell, Turner of Orange, Watters, Webb, Wheeler, Williams of Greene, Williams of Warren and Wiley—63.

Mr. Avery, of Burke, offered the following amendment, to come after the second resolution:

Resolved, That it is not the intention of the foregoing resolutions to deny the rights of the Government of the United States to intervene in those cases where self-protection may require such intervention.

Mr. Caldwell, of Guilford, moved a call of the House; which was ordered, and absentees noted.

Mr. Avery moved that a further call be dispensed with, and on this motion demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Avery, Allen, Barrett, Bryant, Burton, Bynum of Chatham, Corbett, Durham, Fonville, George, Herring, Hill of Caswell, Hill of Duplin, Lyon of Orange, Mooring, McNeill, Norfleet, Pegram, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Scales, Sherrill, Strange, Sutton, Turner of Orange, Waugh Williams of Warren, Lockhart and Long of Caswell—33.

Those who voted in the negative, are:

Messrs. Adams, Albertson, Alford, Amis, Barco, Caldwell of Guilford Callaway, Carmichael, Collins, Cook, Daniel, Dargan, Dobson, Erwin, Eure, Furr, Gaither, Godwin, Gwynn, Harris of Davidson, Holeman, Johnson, Jones, Leach, Lowry, Martin, Matthews, Miller, McDugald, McIntyre, Perry, Sauls, Shimpock, Simons, Smith, Spruill, Styles, Stubbs Teague, Thornburgh, Tolson, Tripp, Turner of Iredell, Watters, Waugh, Wheeler, Williams of Greene and Wiley—48.

So the House refused to dispense with further call.

On motion of Mr. Perkins, of Halifax, all the absentees were excused.

Mr. Avery, of Burke, moved that the House now adjourn.

Mr. Miller, of Caldwell, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Avery, Calloway, Carmichael, Corbett, Dobson, Durham, George, Herring, Hill of Caswell, Lockhart, Lyon of Orange, Mooring, McNeill, Norfleet, Pegram, Perry, Reid of Duplin, Russell, Sauls, Sherrill, Strange, Sutton, Turner of Orange—24.

Those who voted in the negative, are :

Messrs. Albertson, Alford, Amis, Baren, Bryant, Burton, Bynum of Chatham, Caldwell of Guilford, Collins, Cook, Daniel, Dargan, Erwin, Eure, Foreman, Furr, Gaither, Godwin, Gwynn, Harris of Davidson, Holeman, Johnson, Jones, Long of Caswell, Lowry, Martin, Matthews, Miller, McDugald, McIntyre, Perkins, Phillips, Puryear, Reid of Rockingham, Rives, Sanders of Johnson, Scales Shimpock, Simons, Spruill, Styles, Stubbs, Teague, Thornburg, Tolson, Tripp, Turner of Iredell, Watters, Waugh, Webb, Wheeler, Williams of Greene, Williams of Warren, Adams and Wiley—56.

The question then recurring, on the amendment of Mr. Avery, it was decided in the negative—Yeas 32, nays 45

Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Allen, Avery, Bryant, Burton, Carmichael, Corbett, Dobson, Fonville, George, Herring, Hill of Caswell, Lockhart, Long of Caswell, Lyon of Orange, Murrin, Marshall, Mooring, McNeill, Pegram, Reid of Duplin, Reid of Rockingham, Russell, Sauls, Scales Sherrill, Strange, Sutton, Teague, Turner of Orange, Waugh, Wheeler and Williams of Warren—32.

Those who vote in the negative are :

Messrs. Adams, Albertson, Alford, Amis, Barco, Bynum of Chatham, Caldwell of Guilford, Calloway, Collins, Cook, Daniel, Dargan, Durham, Erwin, Eure, Furr, Gaitner, Godwin, Gwynn, Harris of Davidson, Holeman, Johnson, Jones, Leach, Lowry, Matthews, Miller, McDugald, McIntyre, Norfleet, Perry, Perkins, Puryear, Rives Shimpock, Simons, Smith, Spruill, Thornburg, Tolson, Tripp, Turner of Iredell, Watters, Webb and Williams of Greene.—45

Mr. George, of Columbus, moved that the House now adjourn.

Mr. Spruill demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Allen, Avery, Calloway, Carmichael, Corbett, Dobson, Durham, Erwin, George, Herring, Hill of Caswell, Hill of Duplin, Lockhart, Lyon of Orange, Matthews, Mooring, McNeill, Norfleet, Pegram, Perry, Phillips, Reid of Duplin, Russell, Saul, Sherrill, Styles, Strange, Sutton, Turner of Orange, Scales and Waugh—30.

Those who voted in the negative are :

Messrs. Albertson, Alford, Amis, Barco, Barrett, Bryant, Burton, Bynum of Chatham, Caldwell of Guilford, Collins, Conk, Daniel, Dargan, Eure, Fonville, Gauthier, Godwin, Gwynn, Harris of Davidson, Holman, Johnson, Jones, Leach, Long of Caswell, Lowry, Martin, Matthews, Miller, McDugald, McIntyre, Perkins, Puryear, Reid of Rockingham, Rives, Sanders of Johnson, Shimpock, Simons, Smith, Spruill, Stubbs, Tague, Thornburg, Tolson, Tripp, Turner of Iredell, Waters, Webb, Wheeler, Williams of Greene, Williams of Warren, Wiley, Furr and Adams—53.

Mr. Perry, of Granville, moved that the House now adjourn.

Mr. Cook, of Wilkes, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Amis, Avery, Barrett, Bryant, Burton, Calloway, Carmichael, Corbett, Dobson, Durham, Erwin, George, Herring, Hill of Caswell, Lockhart, Long of Randolph, Lyon of Orange, Marshall, Mooring, McNeill, Norfleet, Pegram, Perry, Phillips, Reid of Rockingham, Sauls, Scales, Sherrill, Styles, Strange, Sutton, Turner of Orange, Waugh and Williams of Warren—35.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Alford, Barco, Bynum of Chatham, Byrd, Caldwell of Guilford, Collins, Cook, Daniel, Dargan, Eure, Furr,

Gaither, Godwin, Gwynn, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long of Caswell, Martin, Matthews, Miller, McDugald, McIntyre, Puryear, Rives, Sanders of Johnson, Shimpock, Simons, Spruill, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Watters, Webb, Wheeler and Williams of Greene—44.

The question then recurring—shall the resolution pass? it was decided in the affirmative, yeas 58, nays 8.

Mr. Spruill, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Allen, Amis, Barco, Bryant, Bynum of Chatham, Byrd, Caldwell of Guilford, Calloway, Carmichael, Collins, Cook, Daniel, Dargan, Erwin, Eure, Furr, Gaither, Godwin, Gwynn, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long of Caswell, Long of Randolph, Lowry, Martin, Marshall, Matthews, Miller, McDugald, McIntyre, Pegram, Perry, Perkins, Puryear, Reid of Rockingham, Rives, Sanders of Johnson, Sauls, Shimpock, Simons, Spruill, Styles, Stubbs, Teague, Thurnburg, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watters, Webb and Williams of Greene—58.

Those who voted in the negative, are :

Messrs. Avery, Barrett, Dobson, Herring, Lockhart, Lyon of Orange, Mooring and Norfleet—8.

Mr. Carmichael, of Wilkes, moved that the House now adjourn.

Mr. Waugh, of Stokes, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Adams, Albertson, Amis, Byrd, Caldwell of Guilford, Calloway, Carmichael, Erwin, Furr, Gwynn, Harris of Davidson, Leach, Long of Caswell, Long of Randolph, Marshall, Norfleet, Perry, Perkin, Phillips, Reid of Duplin, Rives, Sauls, Seales, Shimpock, Styles, Strange, Stubbs, Teague, Turner of Iredell and Turner of Orange—30.

Those who voted in the negative are :

Messrs. Albertson, Allen, Avery, Barco, Barrett, Bryant, Bynum of Chatham, Collins, Cook, Corbett, Daniel, Dargan, Dobson, Eure, Gaitner, George, Godwin, Herring, Hill of Caswell, Holeman, Johnson, Jones, Lowry, Lyon of Orange, Martin, Matthews, Miller, Mooring, McDugald, McIntyre, Pegram, Puryear, Reid of Rockingham, Sanders of Johnson, Simons, Spruill, Thornburg, Telson, Tripp, Watters, Waugh, Webb, Williams of Greene, Holeman and Williams of Warren—45.

Mr. Teague, of Iredell, moved that the House now adjourn.

Which motion was carried—Yeas 40, nays 28.

Mr. Mooring, of Martin, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Albertson, Alford, Amis, Avery, Caldwell of Guilford, Collins, Cook, Erwin, Eure, Johnson, Long of Caswell, Long of Randolph, Lyon of Orange, Marshall, Matthews, McIntyre, Norfleet, Perry, Perkins, Phillips, Puryear, Reid of Duplin, Rives, Sauls, Scales, Sherrill, Shimpock, Simons, Spruill, Styles, Strange, Stubbs, Teague, Tolson, Trexler, Tripp, Turner of Iredell, Watters and Webb—40.

Those who voted in the negative, are:

Messrs. Baren, Barrett, Bryant, Bynum of Chatham, Byrd, Calloway, Carmichael, Corbett, Daniel, Gaitner, George, Godwin, Gwynn, Herring, Jones, Lowry, Love, Martin, Miller, Mooring, McDugald, Pegram, Reid of Rockingham, Sanders of Johnson, Thornburg, Waugh, Williams of Greene, Holeman and Williams of Warren—28.

WEDNESDAY, Dec. 15th, 1852.

A message was received from the Senate, proposing to vote for three Trustees of the University to-day at a quarter past eleven o'clock.

Which was read, and on motion laid on the table.

A message was received from the Senate, proposing to vote for Solicitor of the 7th Judicial District, to day at one o'clock.

Which was read and laid on the table.

On motion of Mr. Avery, of Burke, leave was granted to the committee on internal improvements, to sit during the Session of the House.

On motion of Mr. Saunders, of Wake, leave was granted to the Committee on the Judiciary, to sit during the Sessions of the House.

Mr. Williams, of Wa-ren, moved that a proposition be sent to the Senate to go into an election of United States Senator to day at 12 o'clock.

Mr. Stubbs, of Beaufort, moved to lay upon the table.

Mr. Williams demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Amis, Barco, Blow, Brooks, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Collins, Cook, Daniel, Dargan, Erwin, Eure, Furr, Gauthier, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Johnson, Jones, Leach, Long of Randolph, Lowry, Matthews, Miller, McDugald, McIntyre, Perkins, Phillips, Puryear, Sanders of Johnson, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Teague, Thornburg, Trexler, Tripp, Turner, of Iredell, Turner of Orange, Watters, Webb, Whitehurst, Wiley and Wynne—53.

Those who voted in the negative are :

Messrs. Allen, Avery, Barrett, Black, Bryant, Burton, Bynum of Northampton, Byrd, Cotten, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, Foreman, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Lander, Lockhart, Long of Caswell, Lyon, of Granville, Lyon of Orange, Martin, Marshall, Milis, Mooring, Munday, McNeill, Norfleet, Pegram, Perry, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Saunders of Wake, Sauls, Scales, Sherrill, Strange, Sutton, Tolson, Walton, Ward, Waugh, Wheeler, Williams of Warren, Wilder, and Wood—59.

Mr. Spruill, of Bertie, moved to amend the proposition by striking out "to-day 12 o'clock," and insert "to-morrow at half-past twelve."

Which amendment was adopted—Yeas 57, nays 55.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Amis, Barco, Blow, Brooks, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Collins, Cook, Daniel, Dargan, Erwin, Eure, Furr, Gauthier, Godwin, Gwynn, Harris of Cabarras, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Love, Matthews, Miller, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Shimpock, Simons, Smith, Spruill, Stubbs, Teague, Thornburgh, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watters, Webb, Whitehurst, Williams of Greene, Wiley, and Wynne—57.

Those who voted in the negative, are :

Messrs. Allen, Avery, Barrett, Black, Bryant, Burton, Byrd, Chesnut, Cotten, Corbett, Dobbin, Dobson, Dortch, Dunn, Ellis, Fonville, Foreman, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin,

Jarvis, Lander, Lockhart, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mills, Mouring, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Wheeler, Williams of Warren, Wilder, Wood, Durham, Waugh and Ward—55.

The question then recurring on the proposition, as amended, it was decided in the affirmative, yeas 79, nays 27.

Mr. Dortch, of Wayne, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs Alford, Allen, Avery, Barco, Barrett, Black, Blow, Burton, Bynum of Northampton, Byrd, Caldwell of Guilford, Chestnutt, Cotten, Dobbin, Dobson, Dortch, Durham, Ellis, Erwin, Eure, Fonville, Foreman, Gauthier, George, Godwin, Harris of Davidson, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Johnson, Lander, Lockhart, Long of Caswell, Long of Randolph, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Mouring, Munday, McNeill, Norfleet, Pegram, Perry, Phelps, Phillips, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Sauls, Scales, Sherrill, Simons, Styles, Strange, Sutton, Tolson, Turner, of Iredell, Watters, Walton, Ward, Waugh, Wheeler, Whitehurst, Williams of Greene, Williams of Warren, Wiley, Wilder, Amis, and Wood—79.

Those who voted in the negative, are :

Messrs. Albertyson, Brooks, Bynum of Chatham, Calloway, Carmichael, Collins, Corbett, Daniel, Dargan, Furr, Gwynn, Jones, Leach, Lwry, McDugald, McIntyre, Puryear, Shimcock, Smith, Spruill, Stubbs, Thornburg, Trexler, Tripp, Webb, and Wynne—27.

Mr. Strange, of New Hanover, moved that a message be sent to the Senate, proposing to go into the election of a Solicitor for the 7th Judicial District to-day at a quarter before 2 o'clock.

Mr. Cook, of Wilkes, moved to lay the motion on the table.

Mr. Dortch, of Wayne, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Alford, Amis, Barco, Brooks, Caldwell of Guilford, Calloway, Carmichael, Collins, Cook, Daniel, Dargan, Erwin, Eure, Furr, Godwin, Gwynn, Harris of Davidson, Harris of Cabarrus, Johnson, Jones, Leach, Long of Randolph, Lowry, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Shimpock, Simons Smith, Spruill, Stubbs, Teague, Thornburg, Trexler, Tripp, Turner of Orange, Watters, Webb, Whitehurst, Williams of Greene and Wiley—46.

Those who voted in the negative are :

Messrs. Adams, Allen, Avery, Barrett, Black, Blow, Bryant, Burton, Bynum of Chatham, Bynum of Northampton, Byrd, Chesnut, Cotten, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, Foreman, Gaither, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Lander, Lockhart, Long of Caswell, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Mills, Mooring, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sauls, Scales, Sherrill, Styles, Strange, Sutton, Tolson, Turner of Iredell, Walton, Ward, Waugh, Wheeler, Williams of Warren, Wilder, Wood and Wynne—67.

A message was received from the Senate, concurring in the proposition to vote for four Trustees of the University, at half-past one o'clock.

Also agreeing to vote for United States Senator to-morrow at 12 o'clock.

Also, informing the House that Messrs. Hoke and Murray will superintend the election of Trustees of the University, on the part of the Senate.

The committee on the part of the House consists of Messrs. Waugh and Adams.

A message was received from the Senate, proposing to vote for Attorney General, to-morrow at one o'clock.

Which message was read and concurred in.

The hour for the special order of the day, the bill concerning County and Superior Courts, having arrived,

Mr. McNeill moved the indefinite postponement of the bill.

Which motion prevailed—Yeas 71, nays 44.

Mr. Erwin, of Burke, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Alford, Allen, Barco, Barrett, Bryant, Burton, Bynum of Northampton, Byrd, Cherry, Chesnut, Christmas, Collins, Cotton, Dobson, Dunn, Durham, Ellis, Fonville, Foreman, Furr, Gaither, Gwynn, Harris of Davidson, Hawkins, Herring, Holeman, Jarvis, Johnson, Jones, Leach, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, McIntyre, McNeill, Norfleet, Pegram, Perkins, Phelps, Poryear, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Scales, Sherrill, Simons, Smith, Spruill, Styles, Sutton, Teague, Thornburg, Tolson, Turner of Iredell, Waters, Walton, Ward, Waugh, Whitehurst, Williams of Greene, Williams of Warren, Wilder, Wood and Wynne—71.

Those who voted in the negative, are :

Messrs. Albertson, Amis, Avery, Black, Blow, Brooks, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Cook, Corbett, Daniel, Dargan, Dobbin, Dortch, Erwin, Eure, George, Godwin, Harris of Cabarrus, Hill of Caswell, Hill of Duplin, Lander, Lyon of Randolph, Lowry, Love, Mooring, Munday, McDugald, Perry, Phillips, Reid of Duplin, Saunders of Wake, Sauls, Shimpock, Strange, Stubbs, Trexler, Tripp, Turner of Orange, Webb, Wheeler, and Wiley—44.

The following engrossed bills were read the second and third times, passed and ordered to be enrolled :

A bill to amend an act passed at the session of the General Assembly of 1850-'51, entitled an act to incorporate the Anson Pland Road company ;

A bill to ascertain the whole amount of taxes paid by the people of North Carolina ;

A bill to extend the time for registering grants, mesne conveyances, powers of attorney, bills of sale and deeds of trust;

A bill to pay tales jurors in Rockingham and Guilford counties;

A bill to incorporate Catawba College;

A bill to authorize the Court of Pleas and Quarter Sessions, for the county of Perquimons, to sell a portion of its public square;

A bill to increase the capital stock of the Bank of Wadesboro;

A bill to amend the charter of the town of Salisbury;

A bill concerning the reports of the Supreme Court;

A bill to make the bonds of the State, issued on account of the Fayetteville and Western Plank Road company, transferable;

A resolution in favor of Rufus H. Page, of Wake county.

A message was received from the Senate, informing the House that Messrs. Cooper and Shaw form the Senate branch of the committee to superintend the election of solicitor for the first Judicial District.

The committee on the part of the House consists of Messrs. Brooks and Jarvis.

In pursuance of the joint order, the hour having arrived, the House proceeded to vote for Solicitor of the first Judicial District, with the following result:

FOR MR. SMITH.

Messrs. Speaker, Adams, Albertson, Alford, Amis, Barco, Brooks, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Collins, Cook, Daniel, Dargan, Erwin, Eure, Furr, Gaither, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Love, Matthews, Miller, Mills, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Russell,

Sanders of Johnson, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Teague, Thornburgh, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watters, Webb, Whitehurst, Williams of Greene, Wiley, Wood and Wynne—61.

FOR MR. JOHNSON.

Messrs. Allen, Avery, Barrett, Black, Blow, Bryant, Burton, Bynum of Northampton, Byrd, Chesnut, Cotten, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, George, Foreman, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lockhart, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mooring, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Saunders of Wake, Sauls, Scales, Sherrill, Strange, Walton, Ward, Waugh, Wheeler and Wilder—49.

FOR MR. WILLIAMS.

Messrs. Fonville, Sutton and Williams of Warren—3.

A resolution in favor of W. G. Hampton, was, on motion of Mr. Sanders, indefinitely postponed.

A bill relating to St. Phillip's Church, in Smithville, was read the second and third times, passed and ordered to be engrossed.

A bill to appoint the time of the meeting of the General Assembly was read the second time and passed.

A bill to incorporate Clinton Lodge, on its second reading, was laid on the table.

A bill to amend an act incorporating Robeson institute, in the county of Robeson, was, on motion of Mr. McNeill, taken from the table, read the second time and passed.

The resolution rescinding the order to furnish the capitol was read the second time, and, on motion, laid on the table.

A bill in favor of John Smith, of New Hanover, was read the second time and passed.

A bill to establish a public road from the stage road at Jonas Burket's, in Ashe county, to the Three Top Fork road, was read the second time and passed.

Mr. Brooks, from the committee to superintend the election of Solicitor of the first Judicial Circuit, made the following report, which was concurred in:

That 161 votes were cast ; that 81 were necessary for a choice ; that Mr. Smith received 85, Mr. Johnson 73, and Mr. Williams 3 ; that, as Mr. Smith had received a majority of all the votes, he was elected.

A bill to incorporate the Colly Navigation company was referred to the Committee on Private Bills.

Mr. Strange, of New Hanover, introduced a bill to incorporate the Wilmington Fire Insurance company; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Strange introduced a bill to incorporate the Proprietors of the Wilmington Cemetery ; which was read the first time and passed.

Mr. Collins introduced a bill for the more speedy administration of Justice ; which was read the first time, passed and referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Carmichael presented a memorial, from citizens of Watauga, relative to the streets of Boon.

Mr. Styles, a memorial in favor of Alexander Jarerdan of Cherokee County ;

Mr. Burton presented a memorial from citizens of Cleveland, against a new county ;

Mr. Burton presented a memorial against the license law ;

Mr. Black presented a memorial from sundry citizens upon the same subject ;

Mr. Dobbin presented a memorial on the subject of vending spirituous liquors ;

Mr. Carmichael presented a memorial from sundry citizens of Ashe and Wilkes, praying to be attached to Watauga county ;

Which several petitions were referred to the Committee on Propositions and Grievances.

Mr. Carmichael, of Wilkes, presented a petition of citizens of Wilkes county, praying a repeal of the act of the General Assembly, exempting persons under 35 years from militia duty ; which was referred to the Committee on Military Affairs.

Mr. Norfleet presented the petition of Joseph N. Bowwith ; which was referred to the Committee on Claims.

Mr. Smith presented a memorial of citizens of Halifax county with regard to the railroad bridge near Weldon ; which was referred to the Committee on Internal Improvements.

Mr. Carmichael presented a memorial from citizens of Watauga county ; which was referred to the Committee on Constitutional Reform.

Mr. Tolson presented the petition of sundry citizens of Anson and Union, against the Maine Liquor Law ; which was read and referred to the Committee on Propositions and Grievances.

Mr. Byrd, of Yancy, presented a memorial from sundry citizens of Yancy, against the Maine Liquor Law ; which was on motion laid on the table.

A memorial concerning a plank road from Kinston to Snow Hill was presented and referred to the Committee on Corporations.

Mr. Wheeler offered the following resolution ; which was read and laid over under the rule :

Resolved, That the hour for taking a recess in the afternoon session shall be 5 o'clock.

Mr. Spruill, of Bertie, presented the following resolution.

Resolved, That the Commons Hall be tendered this night, to the members of the temperance convention now being held in this city.

Mr. Williams, of Warren, moved to lay on the table.

M. Tolson, of Anson, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Adams, Barrett, Bryant, Burton, Calloway, Chesnut, Collins, Dobson, Dunn, Durham, Ellis, Fonville, Furr, Herring, Holeman, Jarvis, Jones, Long of Caswell, Love, Lyon of Granville, Martin, Marshall, Matthews, Miller, Mills, Mooring, Munday, McDugald, Phillips, Reid of Rockingham, Sanders of Johnson, Sauls, Scales, Sherrill, Teague, Tolson, Trexler, Walton, Waugh, Williams of Warren, Wilder and Wynne

Those who voted in the negative, are :

Messrs. Albertson, Alford, Allen, Amis, Avery, Barco, Brooks, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of Guilford, Carmichael, Cook, Corbett, Daniel, Dargan, Erwin, Eure, Gaither, George, Godwin, Gwynn, Harris of Davidson, Hawkins, Hill of Caswell, Hill of Duplin, Johnson, Lander, Leach, Long of Randolph, Lowry, Lyon of Orange, McIntyre, McNeill, Norfleet, Pegram, Perry, Perkins, Phelps, Rives, Shimpock, Simons, Smith, Stubbs, Sutton, Thornburgh, Tripp, Turner of Iredell, Turner of Orange, Watters, Ward, Webb, Wheeler, Whitehurst, Williams of Greene and Wiley—55.

The resolution having been, by general consent, withdrawn,

Mr. Tripp, of Beaufort, moved that the House adjourn.

Which motion was rejected—Yeas 22, nays 77.

Those who voted in the affirmative, are :

Messrs. Alford, Avery, Barco, Byrd, Calloway, Dortch, Ellis, George, Hill of Duplin, Mooring, Phelps, Puryear, Reid of Duplin, Sauls, Sherrill, Stiles, Strange, Teague, Tripp, Wheeler, Whitehurst and Wilder—22.

Those who voted in the negative are :

Messrs. Albertson, Allen, Amis, Barrett, Brooks, Bryant, Burton, Bynum of Chatham, Bynum of Northampton, Caldwell of Guilford, Carmichael, Chesnutt, Collins, Cook, Corbett, Daniel, Dargan, Dobson, Dunn, Durham, Erwin, Eure, Furr, Gaither, Godwin, Harris of Cabarrus, Harris of Davidson, Hawkins, Herring, Hill of Caswell, Holman, Jarvis, Johnson, Jones, Lander, Leach, Long of Caswell, Long of Randolph, Lowry, Love, Lyon of Granville, Martin, Marshall, Matthews, Miller, Mills, Munday, McDuga d, McIntyre, McNeill, Norfleet, Pegram, Perry, Perkins, Phillips, Reid of Rockingham, Rives, Scales, Shimpock, Simons, Smith, Spruill, Stubbs, Sutton, Thornburg, Tolson, Trexler, Turner of Iredell, Turner of Orange, Watters, Walton, Ward, Waugh, Webb, Williams of Greene, Williams of Warren, Wiley and Wynue—77.

The committee to superintend the election of four Trustees of the University submitted the following report, which was concurred in :

That 160 votes were cast; that 81 were necessary for a choice—that Mr. Steele received 89, Mr. Hill 76, Mr. Dortch 65, Mr. Bynum 52, Mr. S. F. Phillips, 45, Mr. Smith 43, Mr. Cherry 40, Mr. Clark 38, Mr. Person 37, Mr. Hawkins 35, Mr. Taylor 29, Mr. Amis 24, Mr. Arendell 12, Mr. Norfleet 4, Mr. McGeehee 4, Mr. Collins 5, scattering 39—that Mr. Steele having received a majority of all the votes cast, he was elected.

On motion, the House adjourned until to-morrow 10 o'clock.

THURSDAY, Dec. 16th, 1852.

A message was received from the Senate, transmitting the following engrossed bills from the House with amendments,

Which were concurred in:

A bill to amend the first section of the 64th chapter of the Revised Statutes;

A bill to do away with collateral warrants.

On motion of Mr. Adams, of Iredell, a message was ordered to be sent to the Senate, proposing to ballot for three, Trustees of the University, to-day at 11 o'clock.

The following engrossed bills from the Senate, were severally read the second time and passed :

A bill to incorporate the Charlotte, North Carolina, and the Cheraw, South Carolina, Plank Road company ;

A bill concerning the Conrad Hill Gold Mining company;

A joint resolution to furnish the Library of Congress with certain volumes of the acts of the General Assembly, of this State;

A bill to amend an act passed at the session of 1750-'51, entitled an act to regulate the pay of jurors and witnesses, in the county of Craven;

A bill to encourage the investment of capital, for Mining purposes ;

A bill to amend an act, passed in 1850-'51, to incorporate Lewis' Gold Mining company.

A bill to incorporate the Cumberland Academy, being on its 2nd reading, was, on motion of Mr. Mills, laid on the table.

In pursuance of the special order, a bill to lay off this State into 50 Senatorial Districts, was taken up.

On motion of Mr. Puryear, of Surry, the House resolved itself into committee of the whole, on this bill,

Mr. Long, of Randolph, in the Chair. The committee, rose, reported progress, and asked to be discharged from the further consideration of the bill.

A message was received from the Senate, informing the House that the Senate had laid on the table, the proposition to vote for United States Senator, to-day, at 11 o'clock.

Also, informing the House, that the Senate had agreed to vote for United States Senator, to-day at 12 o'clock, and that Messrs. Bunting and Lillington form the Senate branch of the committee to superintend the election.

Messrs. Turner of Iredell, and Lyon of Granville, form the committee on the part of the House.

In pursuance of the first order, the hour having arrived, the House proceeded to vote for United States Senator, with the following result :

FOR MR. DOBBIN.

Messrs. Allen, Avery, Barrett, Black, Bryant, Burton, Bynum of Northampton, Chesnutt, Corbett, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, Foreman, George, Jarvis, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Launder, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mooring, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Ward, Waugh, Wheeler, Williams of Warren and Wilder—49.

FOR MR. RAYNER.

Messrs. Speaker, Albertson, Alford, Amis, Barco, Blow, Brooks, Bynum of Chatham, Caldwell, of Guilford, Calloway, Carmichael, Cherry, Collins, Cook, Daniel, Dargan, Erwin, Eure, Furr, Gaither, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Johnson, Leach, Long of Randolph, Lowry, Matthews, Miller, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Shimpock, Simons, Smith, Spruill, Stubbs, Thornburg, Tolson, Trexler, Turner of Iredell, Turner of Orange, Watters, Webb, Whitehurst, Williams of Greene and Wynnè—53.

FOR MR. J. R. DANIEL.

Messrs. Christmas and Love—2.

FOR MR. SHEPARD.

Mr. Cotten—1.

FOR MR. GRAHAM.

Mr. Holeman—1.

FOR MR. CRAIG.

Mr. Saunders—1.

FOR MR. KERR.

Mr. Tripp—1.

FOR MR. CLINGMAN.

Messrs. Byrd, Mills, Styles and Teague—4.

The House resumed the consideration of the bill to lay off the State into 50 Senatorial Districts,

The question pending being the amendment of Mr. McIntyre.

A message was received from the Senate, informing the House that Messrs. Clark and Cowper will superintend the election of Attorney General, on the part of the Senate.

Messrs. Christmas, and Williams of Warren, form the committee on the part of the House.

In pursuance of the joint order, the hour having arrived the House proceeded to vote for Attorney General, with the following result:

FOR MR. RANSOM.

Messrs. Speaker, Albertson, Alford, Amis, Barco, Blow, Brooks, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael,

Cherry, Christmas, Collins, Cook, Daniel, Dargan, Erwin, Eure, Furr, Gaither, Gwynn, Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Love, Matthews, Miller, Milis, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Shimpock, Simons, Spruill, Styles, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Turner, of Iredell, Turner of Orange, Watters, Webb, Whitehurst, Williams of Greene and Wynne—59.

FOR MR. EATON.

Messrs. Allen, Avery, Barrett, Black, Bryant, Burton, Bynum of Northampton, Byrd, Chesnutt, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, Foreman, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mooring, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Saunders of Wake, Sauls, Scales, Sherrill, Smith, Sutton, Strange, Walton, Ward, Waugh, Williams of, Warren and Wilder—52.

FOR MR. ROGERS.

Messrs. Cotten and Godwin—2.

Leave being granted, Mr. Saunders, of Wake, introduced a bill to establish a new Judicial Circuit in the State of North Carolina; which was read the first time and passed, and the rule being suspended, it was put on its second reading and rejected.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Albertson, Amis, Avery, Blow, Brooks, Bynum of Northampton, Carmichael, Chesnutt, Cook, Corbett, Daniel, Dargan, Dobbin, Dobson, Dortch, Dunn, George, Hawkins, Hill of Caswell, Hill of Duplin, Lander, Long of Randolph, Lowry, Love, Mooring, Munday, McDugald, McNeill, Norfleet, Perry, Phelps, Phillips, Puryear, Reid of Duplin, Saunders of Wake, Strange, Stubbs, Tripp, Turner of Orange and Wheeler—41.

Those who voted in the negative, are:

Messrs. Adams, Alford, Allen, Barco, Black, Bryant, Byrd, Caldwell of Guilford, Calloway, Christmas, Durham, Ellis, Erwin, Eure, Fonville, Furr, Gaither, Godwin, Gwynn, Harris of Cabarras, Harris of Davidson, Herring, Holeman, Jarvis, Johnson, Jones, Leach, Long of Caswell, Lynn of Granville, Lyon of Orange, Martin Marshall, Matthews, Miller, Mills, McIntyre, Pegram, Perkins, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Sauls, Sherrill, Shimpock, Simons, Smith, Spruill, Styles, Sutton, Thornburgh, Tolson, Trexler, Turner of Iredell, Walters, Walton, Ward, Waugh, Webb, Whitehurst, Williams of Greene, Williams of Warren and Wilder—65.

The House resumed the consideration of the bill for Senatorial Districts.

Mr. Reid, of Duplin, moved to postpone the further consideration of the bill until half-past one o'clock.

Which motion was lost—Yeas 51, nays 59.

Mr. McDugald, of Bladen, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Avery, Barrett, Black, Blow, Bryant, Burton, Bynum of No thampton, Byrd, Chesnut, Christmas, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, Foreman, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Long of Caswell, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mooring, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Sauls, Scales, Sherrill, Strange, Sutton, Waugh, Wheeler, Williams of Warren and Wilder—51.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Alford, Amis, Barco, Brooks, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Cherry, Collins, Cook, Cotten, Daniel, Dargan, Erwin, Eure, Furr, Gaither, Godwin, Gwynn, Harris of Cabarras, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Matthews, Miller, Mills, McDugald, McIntyre, Perry, Phillips, Puryear, Sanders of Johnson, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Teague, Thornburgh, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Walters, Walton, Ward, Webb, Whitehurst, Williams of Greene and Wynne—59.

Leave being granted, Mr. Williams, of Warren, from the committee to superintend the election of Attorney General, submitted the following report, which was concurred in:

That 161 votes were cast : that 81 were necessary for a choice—that Mr. Ransom received 80, Mr. Eaton 79, and Mr. Rogers 2—that as no one had received a majority of all the votes, there was no election.

Leave being granted, Mr. Lyon, of Granville, from the committee to superintend the election of United States Senator, submitted the following report, which was concurred in :

That 160 votes were cast ; that 81 were necessary for a choice ; that Mr. Dobbin received 75, Mr. Rayner 73, Mr. Shepard 2, Mr. R.S. Donnell 1, Mr. Clingman 4, Mr. J. R. J. Daniel 2, Mr. Graham 1, Mr. Craig 1, and Mr. Kerr 1 ; that as no one had received a majority of all the votes, there was no election.

Leave being granted, Mr. Marshall, of Forsyth, presented a memorial from sundry citizens ; which was referred to the Committee on Internal Improvements.

The House resumed the consideration of a bill to lay off the State into fifty Senatorial Districts.

AFTERNOON SESSION.

Mr. Hill introduced a bill authorising the Richmond and Danville Railroad company to establish a Depot in the town of Milton; which was read the first time and passed.

Mr. Mashall, of Stokes, introduced a bill to establish a public road from Winston to the Virginia line, by the way of Danbury; which was read the first time, passed, and with the memorial, referred to the Committee on Internal Improvements.

Mr. Perry, of Granville, introduced a bill in relation to executors of last wills and testaments; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Sutton, of Lenoir, introduced a bill to incorporate the Kinston and Snow Hill Plank Road company; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Harris, of Cabarrus, introduced a bill to incorporate the Phoenix Gold Mining company; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Hill, of Duplin, introduced a bill to incorporate the town of Kenansville; which was read the first time and passed.

Mr. Sanders, of Johnson, introduced a bill to amend an act, passed at the session of 1848-'49, entitled an act to incorporate the Johnson Little River Manufacturing company; which was read the first time and passed.

Mr. Brooks, of Pasquotank, introduced a resolution in favor of the sureties of J. A. Pool, late sheriff of Pasquotank county; which was read the first time and passed.

Mr. McDugald, of Bladen, introduced a bill for the protection and preservation of the rights and property of married women; which was read the first time and passed.

Mr. Saunders, of Wake, introduced a bill to provide for the holding of an extra term of the Superior Court of Wake; which was read the first time and passed;

And the rule being suspended, it was read the second time and passed.

Mr. Cherry, from the Committee on Education, reported resolutions in favor of appropriating six thousand dollars to finish the road to the Pungo lands; which were read the first time and passed,

And the rule being suspended, they were read the second time and passed—Yeas 48, nays 44.

Mr. Mills, of Rutherford, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Avery, Blow, Burton, Bynum of Chatham, Bynum of Northampton, Caldwell of Guilford, Calloway, Carmichael, Cherry, Chestnutt, Cook, Corbett, Daniel, Dobbin, Dorich, Ellis, Erwin, George, Harris of Cabarrus, Herring, Jones, Long of Randolph, Lowry, Miller, McDugald, McIntyre, McNeill, Pegram, Phelps, Phillips, Puryear, Rives, Saunders of Wake, Smith, Strange, Stubbs, Tripp, Turner of Orange, Ward, Webb, Wheeler, Williams of Greene, Williams of Warren, Wilder and Wynne—48.

Those who voted in the negative, are :

Messrs. Allen, Amis, Barrett, Black, Byrd, Cotten, Dobson, Dunn, Furr, Gaither, Godwin, Gwynn, Hawkins, Hill of Duplin, Holeman,

Jarvis, Johnson, Lander, Long of Caswell, Lyon of Granville, Martin, Marshall, Matthews, Mills, Norfleet, Perry, Reid of Duplin, Reid of Rockingham, Sanders of Johnson, Sauls, Scales, Sherrill, Simons, Styles, Sulton, Teague, Thornburg, Tolson, Trexler, Turner of Iredell, Waugh, and Whitehurst--44.

Mr. Avery, of Burke, presented a memorial from sundry citizens of Burke ; which was referred to the Committee on Internal Improvements.

Mr. Phillips, of Orange, introduced the following resolution, notice of which was given yesterday :

Resolved, That it shall not be in order to move an adjournment for twenty minutes, from and after a division to the contrary upon a previous motion of the same sort has been announced by the Speaker.

Mr. McNeill, moved to amend by striking out "20" and setting "five ; " which motion was lost.

Mr. McNeill moved to amend by striking out " twenty" and inserting "ten," which motion was lost.

Mr. McNeill moved to lay on the table ; which motion was lost.

Mr. Dortch moved to amend, by striking out " twenty" and inserting " fifteen ;" which motion was adopted.

And the question recurring--shall the resolution pass ? it was decided in the negative.

On motion of Mr. Avery, of Burke, the resolution offered by him yesterday was taken up.

Mr Johnson, of Guilford, moved to amend, by striking out " five" and inserting " half past five;" which amendment was adopted and the resolution passed.

Mr. Martin, of Franklin, introduced the following resolution; which was read and laid over under the rule:

Resolved, That from and after Monday next, no member of the House shall speak more than fifteen minutes at any time, and after two on each side have spoken, no member, shall speak on the same subject more than five minutes.

Mr. Strange, of New Hanover, moved that a message be sent to the Senate, proposing to go into an election for United States Senator, to-morrow at 12 o'clock.

Mr. Amis moved that the House adjourn.

Which motion was lost—Yeas 44, nays 56.

Mr. Dortch, of Wayne, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Albertson, Alford, Amis, Brooks, Bynum, of Chatham, Bynum of Northampton, Caldwell of Guilford, Caldwell of Lincoln, Calloway, Carmichael, Cherry, Christmas Cook, Conen, Daniel, Dargan, Erwin, Furr, Gatter, Gwynn, Harris of Cabarrus, Harris of Davidson, Hawkins, Johnson, Jones, Long of Randolph, Lowry, Love, Matthews, Miller, McIntyre, Norfleet, Perry, Perkins, Simons, Styles, Stubbs, Teague Thornburg, Tolson, Tripp, Turner of Orange, Webb, Williams of Warren and Wynne—44.

Those who voted in the negative, are:

Messrs. Allen, Avery, Barrett, Black, Blow, Burton, Byrd, Chesnutt, Collins, Corbett, Dobson, Dortch, Dunn, Ellis, George, Godwin, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Lander, Long of Caswell, Lyon of Granville, Martin, Marshall, Mills, McDugald, McNeill, Pegram, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Sauls, Scales, Sheenill, Smith, Strange, Sutton, Trexler, Turner of Iredell, Waiters, Ward, Waugh, Wheeler, Williams of Greene and Wilder—56.

Mr. Cherry moved to lay the motion on the table.

Which was lost—Yeas 44, nays 46.

Mr. Love, of Haywood, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albertson, Alford, Amis, Brooks, Caldwell of Guilford, Carmichael, Cherry, Collins, Cook, Daniel, Dargan, Erwin, Furr, Gaither, Gwynn, Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Jones, Long of Randolph, Lowry, Love, Matthews, Miller, Mills, McDugald, McIntyre, Perry, Perkins, Phillips, Sanders of Johnson, Simons, Smith, Styles, Stubbs, Thornburg, Trexler, Tripp, Turner of Iredell, Turner of Orange, Webb, Williams of Greene and Wynne—44.

Those who voted in the negative are :

Messrs. Allen, Avery, Barrett, Black, Burton, Bynum of Chatham, Bynum of Northampton, Byrd, Chesnut, Cotten, Corbett, Dobbin, Dobson, Dortch, Dunn, Ellis, George, Godwin, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Long of Caswell, Lyon of Granville, Martin, Marshall, McNeill, Norfleet, Pegram, Reid of Duplin, Reid of Rockingham, Rives, Sauls, Scales Sherrill, Strange, Sutton, Tolson, Walton, Ward, Waugh, Wheeler, Williams of Warren and Wilder—46.

The question then recurring on the motion of Mr. Strange, it was adopted.

On motion, the House adjourned until to-morrow 10 o'clock.

FRIDAY, Dec. 17th, 1852.

Leave being granted, Mr. Chrry, of Bertie, chairman, in behalf of the committee on education, reported back to the House a bill to incorporate a Normal College, and recommended its passage.

Whereupon, the bili was read the second time.

Mr. Phillips, of Orange, moved to amend by striking out in the second section, "that all vacancies in the Board of Trustees shall be filled by the General Assembly of the State;" which amendment was adopted.

Mr. Leach, of Davidson, moved to amend and insert the following: "by a majority of the Trustees of said College; which amendment was adopted, and the bill passed its second reading.

On motion, the rule was suspended, and the bill read the third time and passed, and ordered to be transmitted to the Senate, asking that body to concur in the amendment of the House.

The House resumed the consideration of the unfinished business of yesterday—the bill to lay off the State into 50 Senatorial Districts.

Mr. Saunders, of Wake, moved that a message be sent to the Senate, proposing to raise a Joint Select Committee of two on the part of each House, to whom shall be referred the plans and matters in regard to the subject of the Senatorial Districts.

Which motion was lost—Yeas 88, noes 19.

Mr. Harris demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs Albertson, Alford, Allen, Amis, Avery, Barco, Black, Blow, Brooks, Bryant, Bur on, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Collins, Cook, Cotten, Daniel, Dargan, Dobbin, Dortch, Durham, Ellis, Erwin, Eore, Furr, Fagg, Fonville, Foreman, Furr, Gaither, Godwin, Gwynn, Harris of Davidson, Hawkins, Hill of Caswell, Holman, Jarvis, Johnson, Jones, Leach, Long of Caswell, Long of Randolph, Love, Lyon of Granville, Lyon of Orange, Mar in, Marshall, Matthews, Mills, Mooring Munday, McDougald, McIntyre, Pegram, Perkins, Phelps, Puryear, Reid of Rockingham, Rives, Sanders of Johnson, Saunders of Wake, Scales, Sherrill, Shimpock, Simons, Smith, Spruill, Styles, Strange, Teague, Thornburg, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watters, Walton, Ward, Waugh, Webb, Whitehurst, Williams of Greene, Williams of Warren, Wilder, Wood and Wynne—88.

Those who voted in the negative, are :

Messrs. Adams, Bynum of Northampton, Chesnut, Corbett, Dobson, Dunn, George, Harris of Cabarrus, Herring, Hill of Duplin, Lander, Love, Miller, Norfleet, Reid of Duplin, Russell, Stubbs, Sutton, Tolson, and Wheeler—20.

On motion of Mr. McNeill, of Robeson, a message was ordered to be sent to the Senate, proposing to vote for Solicitor of the 6th Judicial Circuit, to-day at half-past twelve o'clock.

On motion of Mr. Love, of Haywood, a message was ordered to be transmitted to the Senate, proposing to vote for a Solicitor for the 7th Judicial District, to-day at half-past 12 o'clock.

On motion of Mr. Webb, of Rutherford, it was ordered that a message be sent to the Senate, proposing to vote for Attorney General, to-day at half-past 1 o'clock.

On motion of Mr. Wheeler of Lincoln, it was ordered that a message be sent to the Senate, proposing to vote for three Trustees of the University, to-day at 1 o'clock.

A message was received from the Senate, informing the House that the Senate had agreed to the proposition to go into an election for United States Senator, to-day at 12 o'clock, and also informing the House that Messrs. Hoke and Steele would superintend the election on the part of the Senate.

The committee on the part of the House consists of Messrs. Smith and Chesnutt.

In pursuance of the special order of the day, the hour having arrived, a bill to ascertain the will of the freeman of North Carolina, as to the call of a Convention on the Federal Basis, was taken up, and, on motion of Mr. Smith, of Halifax, laid on the table.

A message was received from the Senate, agreeing to the proposition to vote for Senator to-day, at half-past twelve o'clock, and informing the House that Messrs. Cunningham and Murray form the Senate branch of the committee.

Also, agreeing to vote for three Trustees of the University at 1 o'clock.

Messrs. Bunting and Albright superintend the election on the part of the Senate.

Also, informing the House that the Senate had laid on the table the proposition to vote for Attorney General, at half-past 1 o'clock, and for Solicitor of the 7th Judicial Circuit at quarter-past 12 o'clock.

A message was received from the Senate, proposing to vote for Attorney General, to day at quarter-past 1 o'clock, and to vote for Solicitor of the 7th Judicial Circuit, to-morrow at 1 o'clock; which was read and concurred in.

The committee on the part of this House, to superintend the election of Solicitor, for the 6th Judicial Circuit, consists of Messrs. Wheeler and Carmichael.

The committee to superintend the election of Attorney General. consists of Messrs. Simons and Herring.

The committee on the part of the House, to superintend the election of Trustees of the University, consists of Messrs. Perry and Sauls.

The committee on the part of the House, to superintend the election of Solicitor, for the 7th Judicial Circuit, consists of Messrs. Lowry and Sherrill.

On motion of Mr. Caldwell, of Guilford, leave was granted to the Committee on Corporations to sit during the sessions of the House.

On motion of Mr. Wheeler, of Lincoln, leave was granted to the Committee on Corporations, to sit during the sessions of the House.

In pursuance of the joint order of the two Houses, the hour having arrived, the House proceeded to vote for U. States Senator, with the following result :

FOR MR. DOBBIN.

Messrs. Allen, Avery, Barrett, Black, Blow, Bryant, Burton, Byrd, Bynum of Northampton, Chesnut, Corbett, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, Foreman, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Lander, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mooring, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sauls, Saunders of Wake, Scales, Sherrill, Strange, Sutton, Walton, Ward, Waugh, Wheeler, Williams, of Warren, Wilder and Wood—54.

FOR MR. WOODFIN.

Messrs. Speaker, Adams, Albertson, Alford, Amis, Barco, Brooks, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Cherry, Collins, Cook, Daniel, Dargan, Erwin, Eure, Fagg, Furr, Gaither, Godwin Gwynn, Harris of Cabarrus, Harris of Davidson, Johnson, Jones, Leach, Long of Randolph, Lowry, Matthews, Miller, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Teague, Thornburgh, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watters, Webb, Whitehurst, Williams of Greene and Wynne—56.

FOR MR. SHEPARD.

Mr. Cotten—1.

FOR MR. DANIEL.

Mr. Love—1.

FOR MR. CLINGMAN.

Mr. Mills—1.

FOR MR. OSBORNE.

Mr. Tolson—1.

On motion of Mr. Carmichael, of Wilkes, it was ordered that a message be sent to the Senate, proposing to vote for Judge of the Superior Court, to-morrow at 12 o'clock.

The resolution offered by Mr. Martin, yesterday, restricting debate, was taken up and passed.

The hour having arrived, the House proceeded to ballot for three Trustees of the University.

A message was received from his Excellency, the Governor; which was read and transmitted to the Senate.

Mr. Smith, from the committee to superintend the election of United States Senator, submitted the following report; which was concurred in:

The whole number of votes cast was 162, necessary for a choice 82: Mr. Dobbin had 80, Mr. Woodfin 76, Mr. Shepard 2, Mr. Clingman 1, Mr. Daniel 1, Mr. Gilmer 1, Mr. Osborne 1,—that as no one had received a majority of all the votes cast, there was no election.

In pursuance of the joint order, the hour having arrived, the House proceeded to vote for a Solicitor for the 6th Judicial Circuit, with the following result:

FOR MR. BYNUM.

Messrs. Speaker, Adams, Albertson, Alford, Blow, Brooks, Caldwell of Guilford, Carmichael, Cherry, Cook, Daniel, Dargan, Erwie, Eure, Fagg, Furr, Gaither, Gwynn, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Matthews, Miller, McDuga'd, McIntyre, Perry, Perkins, Puryear Shimpock, Smith, Styles, Stubbs, Teague, Thornburg, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watters, Webb, Whitehurst, Williams of Greene and Wynne—47.

FOR MR. LANDER.

Messrs. Allen, Avery, Barco, Barrett, Black, Bryant, Burton, Bynum of Northampton, Byrd, Chesnutt, Collins, Cotten, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, Foreman, George, Godwin, Harris of Cabarrus, Harris of Davidson, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis Long of Caswell, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Miller, Mooring, Munday, McNeill, Norfleet, Pegram, Phelps, Phillips, Reid of Duplin, Reid of Rockingham, Russell, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Sherrill, Strange, Sutton, Tolson, Walton, Ward, Waugh, Wheeler, Williams of Warren, Wilder and Wood—62.

On motion of Mr. Carmichael, of Wilkes, the bill to lay off the State into eight Congressional Districts was taken from the table, and made the special order for to morrow at 11 o'clock.

Mr. Wheeler, from the Committee to superintend the election of Solicitor for the 6th Judicial District, submitted the following report :

Which was concurred in.

Whole number of votes cast 157—necessary to a choice 79 ; that Mr. Lander received 89 : and Mr. Bynum 68 ; that as Mr. Lander had received a majority of all the votes cast, he was duly elected.

In pursuance of the joint order of the two Houses, the hour having arrived, the House proceeded to vote for Attorney General, with the following result.

FOR MR. RANSOM.

Messrs. Speaker, Adams, Albertson, Alford, Amis, Barco, Blow, Brooks, Byrd, Cadwell of Guilford, Callaway, Carmichael, Cherry, Collins, Cook, Daniel, Dargan, Erwin, Eure, Fagg, Furr, Gaither, Gwynn, Harris of Cabarrus, Harris of Davidson, Hill of Duplin, Holeman, Jarvis, Johnson, Jones, Leach, Long of Randolph, Lowry, Love, Lyon of Granville, Lyon of Orange, Matthews, Miller, Mills, Munday, McDugald, Mc'ntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Teague, Thornburgh, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watters, Walton, Webb, Whitehurst, Williams of Greene, Williams of Warren and Wood—68.

FOR MR. ROGERS.

Messrs. Cotten, Dortch, Foreman, Godwin, Scales, Norfleet, Waugh and Wilder—8.

FOR MR. BUSBEE.

Messrs. Allen, Avery, Barrett, Black, Barton, Chesnut, Corbett, Dunn, Durham, Fonville, George, Herring, Long of Caswell, McNeill, Pegram, Reid of Rockingham, Russell, Sauls, Sherrill, Strange, Sutton, Ellis and Ward—23.

FOR MR. LEWIS.

Messrs. Bryant, Hawkins and Martin—3.

FOR MR. EATON.

Messrs. Bynum of Northampton, Dobbin, Dobson, Hill of Caswell, and Marshall—5.

FOR MR. BRAGG.

Mr. Saunders of Wake—1.

FOR MR. DARGAN.

Mr. Wheeler—1.

The following bill was read the second time and passed :

An engrossed bill from the Senate, to incorporate the Charleston, Blue Ridge and Chattanooga Railroad Company;

A bill for the protection and preservation of the rights and property of married women, was read the second time and on motion referred to the Committee on the Judiciary.

Mr. Johnson, of Guilford, introduced a bill for the appointment of a Board of Public works ; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. McDugald, of Bladen, introduced a bill to amend section 12, chapter 104, Revised Statutes, entitled an act concerning the public roads, fences, and bridges, in this State, which was read the first time and passed.

Mr. Collins, of Chowan, introduced a bill relating to the Capitol Square ; which was read the first time and passed.

Mr. Phillips, of Orange, introduced a bill to incorporate the Hawfield Volunteer Regiment, in the county of Orange ; which was read the first time and passed.

Mr McIntyre, of Richmond, introduced a bill to apportion the members of the House of Commons amongst the several counties in the State ; which was read the first time, passed and made the special order of the day for Monday next at 11 o'clock.

Mr. Turner, of Orange, introduced a bill explanatory of an act, passed at the session of 1838-39 ; which was read the first time and passed.

Mr. Stubbs, of Beaufort, introduced a bill relating to the sale of goods &c ; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Phillips, of Orange, introduced a bill to incorporate the Chapel Hill and Raleigh Plank Road company, which was read the first time and passed.

Mr. Strange, of New Hanover, introduced a bill relating to the Superior Court in New Hanover ; which was read the first time and passed.

Mr. Phillips, of Orange, from the Judiciary Committee made a report in relation to the commission to revise the Statute laws, accompanied by a bill to continue the Commission to revise and digest the statute laws of the State ; which was read the first time and passed.

Mr. Pegram, of Cumberland, introduced a resolution in favor of D. A. Ray, and Co. ; which was read the first time and passed.

Mr. Munday, of Cherokee, introduced a resolution in favor of Jesse Cole, of Cherokee county ; which was read the first time and passed.

A resolution, in favor of M. W. Ransom was introduced, read the first time and passed.

A resolution in favor of R. M. Saunders was introduced, read the first time and passed.

On motion of Mr. Collins, of Chowan,

Resolved, That the Doorkeeper of this House be instructed to light the lamps upon the gates of the enclosure of the Capitol at night, for the remainder of the session.

On motion,

Resolved, That the Seamen's Friends Society be allowed the use of the Commons Hall on Sunday night next.

Mr. McIntyre, of Richmond, presented a memorial from sundry citizens, relating to the obstruction of the passage of fish up Peedee and Yadkin Rivers ; which was referred to the Committee on Propositions and Grievances.

Mr. Perry, from the committee to superintend the election of Trustees of the University, submitted the following report :

Which was concurred in :

That the whole number of votes cast was 154: that 78 were necessary to a choice—that Mr. Hill received 91,

Mr Dortch 73, Mr. Bynum 57, Mr. Phillips 42, Mr. Clark 29, Mr. Arendell 7, Mr. Person 15, Mr. Taylor 20, Mr. Smith 34, Mr. Amis 10, Mr. Collins 8, Mr. Hawkins 14, Mr. Cherry 22, and Messrs Cunningham, Siler, Mitchell, Fuller, Tripp, Stubbs, Gales, Erwin and Lillington 1, Baxter 1, Richardson 1, Bryant, 1, Norfleet 1, McGeehee 1, Turner, Lindsay, Spruill, Rogers, Wheeler, Pearson, Eaton, Hill, Osborne, W. J. Long, McDugald, McKane, White, Pepper, each received 1.

Mr. Hill, of Caswell, having received a majority of all the votes cast, is duly elected one of the Trustees of the University.

Mr. McNeill, of Robeson, presented a memorial from citizens of North Carolina, relating to the liquor traffic.

Mr. Miller, of Caldwell, moved to lay the memorial on the table.

Mr. Munday demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Avery, Cook, Dobson, Dunn, Ellis, Furr, Hill of Duplin, Jarvis, Love, Martin, Marshall, Miller, Mills, Munday, Reid of Rockingham, Sauls, Teague, Tolson, Waugh and Wynne—21.

Those who voted in the negative, are :

Messrs Adams, Albertson, Alford, Allen, Amis, Barco, Black, Brooks, Bryant, Burton, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Christmas, Collins, Corbett, Chestnut, Daniel, Dargan, Dobbin, Erwin, Fonville, Gaither, George, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Herrinz, Hill of Caswell, Holuman, Johnson, Jones, Lander, Leach, Long of Caswell, Long of Randolph, Lowy, Lyon of Granville, Lyon of Orange, McDugald, McIntyre, McNeill, Norfleet, Pegram, Perry, Perkins, Phelps, Phillips, Puryear, Reid of Duplin, Rives, Rus-e J, Sanders of Johnson, Saunders of Wake, Scales, Sherrill, Snimpock, Simons, Smith, Strange, Stubbs, Sutton, Thornburg, Tripp, Turner of Iredell, Waters, Walton, Ward, Webb, Wheeler, Whitehurst, Williams of Greene, Williams of Warren, Wilder, Wood and Reid of Rockingham—78.

Mr. Johnson, of Guilford, moved that the House adjourn.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Avery, Barrett, Cherry, Erwin, George, Hill of Caswell, Johnson, Jones, Leach, Love, Munday, Perry, Phelps, Stubbs, Tripp, Ward, Walton, Wilder and Wynne—20.

Those who voted in the negative, are :

Messrs. Adams, Alford, Amis, Barco, Black, Bryant, Burton, Bynum of Northampton, Byrd, Calloway, Carmichael, Chesnutt, Collins, Cook, Corbett, Daniel, Dobbin, Dobson, Dunn, Ellis, Fonville, Gaither, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Herring, Hill of Duplin, Jarvis, Lander, Long of Caswell, Lowry, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, McDugald, McIntyre, McNeill, Norfleet, Pegram, Perkins, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Sherrill, Shimpock, Smith, Styles, Strange, Teague, Thornburgh, Tolson, Trexler, Turner of Iredell, Webb, Wheeler, Whitehurst, Williams of Greene and Williams of Warren—72.

A message was received from the Senate, agreeing to raise a Joint Select Committee of two on the part of each house, on Senatorial Districts.

Messrs. Woodfin and Boyd form the Senate branch of the committee.

Also, informing the House that the Senate has laid on the table the proposition to vote for Judge of the Superior Court, to-morrow at half-past 1 o'clock.

NIGHT SESSION.

The following engrossed bills were severally read the third time and passed, and ordered to be enrolled :

A bill concerning the Conrad Hill Gold Mining company ;

A bill to enlarge the powers of the Commissioners of the town of Newbern ;

A joint resolution to furnish the Library of Congress with certain volumes of the acts of the General Assembly of the State.

A bill to incorporate the Bank of Charlotte was read the third time and passed—Yeas 60, nays 18.

Mr. Bryant, of Nash, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Amis, Avery, Black, Brooks, Burton, Bynum of Northampton, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Collins, Cook, Corbett, Dargan, Dobbin, Dobson, Dortch, Dunn, Gaither, George, Harris of Cabarrus, Hill of Caswell, Johnson, Long of Caswell, Long of Randolph, Lowry, Love, Miller, Mills, Munday, McDugald, McIntyre, McNeill, Norfleet, Pegram, Phelps, Puryear, Reid of Duplin, Rives, Russell, Sauls, Scales, Sherrill, Shimpock, Simons, Styles, Strange, Stubbs, Sutton, Thornburg, Trexler, Waiters, Walton, Ward, Webb, Wheeler, Williams of Greene and Wynne—60.

Those who voted in the negative, are :

Messrs. Bryant, Chesnut, Daniel, Eure, Fonville, Godwin, Gwynn, Holeman, Jarvis, Jones, Lyon of Granville, Martin, Marshall, Perry, Reid of Rockingham, Sanders of Johnson, Turner of Orange and Waugh—18.

Mr. Dobbin, of Cumberland, introduced a bill to regulate the form of bonds issued by the State; which was read the first time and passed,

And the rule being suspended, the bill was read the second and third times, passed and ordered to be engrossed.

Mr. Cherry, of Bertie, introduced a bill to allow the Comptroller of Public Accounts additional compensation for clerks' hire; which was read the second time and passed.

Leave being granted, Mr. Dargan, in behalf of the Committee on the Judiciary, reported back to the House a bill to incorporate the Merchants' and Planters' Bank of Wilmington, and recommended its passage.

Whereupon, the bill was read the second time and passed.

The following bills and resolutions were severally read a third time, passed and ordered to be engrossed:

A bill to incorporate the Western Railroad company:

A bill to incorporate the Mutual Insurance company, in the town of Fayetteville:

A bill to incorporate the Lumberton and Columbus Plank Road company:

A bill to protect the rights of persons owning personal property in common:

A bill to incorporate the Locksville and Hillsboro Plank Road company:

A resolution in favor of W. W. Greene and L. A. Jeffreys:

A bill concerning the official bonds of sheriffs, coroners and constables:

A bill concerning jury trials in the county of Columbus:

A bill to incorporate the Seamen's Friends society:

A bill to amend an act passed at the session of 1850-'51 entitled an act to incorporate the Greenville and Raleigh Plank Road company :

A bill to amend the 10th section of the 34th chapter of the Revised Statutes, entitled an act concerning crimes and punishments :

A bill to incorporate the town of New Salem, in the county of Randolph .

A bill to change the name of the county seat of Yadkin county :

A bill to provide for the holding of an extra term of the Superior Court of Wake :

A bill to facilitate the recovery of debts due from non-resident debtors :

A bill to repeal in part the 5th section of an act of the General Assembly, passed at its session 1850-'51, entitled an act to establish a Superior Court of Law and Equity, for the county of Watauga :

A resolution to furnish the Governor's residence.

The following bills, on their third reading, were severally, on motion, laid on the table :

A bill to incorporate Jonesboro' Division No. 201 of Sons of Temperance, at Jonesboro', in the county of Camden :

A bill concerning the Roanoke and Meherrin Connection company :

A bill to incorporate Cherith Division, No. 25 Sons of Temperance, in the county of Northampton :

A bill to incorporate Invincible Division, No. 184 of the order of the Sons of Temperance :

A bill to amend the Revised Statutes, chapter 37, entitled bonds and conveyances :

A bill to authorize J. Cline, sheriff of Catawba county, to collect arrears of taxes due him :

A bill to incorporate Wake Forest Male Academy, in the county of Wake :

A bill to incorporate Holly Springs High School, in the county of Wake.

On motion of Mr. Caldwell, of Guilford,

The House adjourned.

SATURDAY, Dec. 18th, 1852.

The Committee on Senatorial Districts, on the part of this House, consists of Messrs. Saunders and Amis.

Leave being granted, a bill to incorporate the proprietors of the Wilmington Cemetery was read the second time and passed.

Mr. Puryear, chairman, in behalf of the Committee on Propositions and Grievances, to whom was referred a bill to establish a new county, by the name of Wilson, reported the same back to the House, and recommended its rejection.

Whereupon, the bill was read the second time.

Mr. Smith of Halifax, moved the indefinite postponement of the bill.

Mr. Ellis demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Alford, Amis, Barco, Bryant, Byrd, Cherry, Chesnutt, Dargan, Gaither, Harris of Cabarrus, Hill of Caswell, Jones, Long of Caswell, Martin, Marshall, Mooring, McDugaid, Norfleet, Perkins, Rives, Scales, Shimpock, Smith, Strange, Sutton, Trexler, Turner of Orange, Watters, Whitehurst, Williams of Warren and Wynne—32.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Allen, Avery, Blow, Brooks, Bynum of Northampton, Caldwell of Guilford, Calloway, Carmichael, Cook, Corbett, Daniel, Dobson, Dorich, Durham, Ellis, Eure, Foreman, Furr, George, Gwynn, Harris of Davidson, Hawkins, Hill of Duplin, Jarvis, Johnson, Lander, Leach, Lowry, Love, Miller, Mills, McIntyre, McNeill, Pegram, Phelps, Phillips, Puryear, Reid of Rockingham, Sanders of Johnson, Saunders of Wake, Sherrill, Styles, Stubbs, Teague, Thornburg, Tolson, Tripp, Turner of Iredell, Waugh, Webb, Wheeler, Williams of Greene, Wiley Godwin and Wilder.—56.

So the House refused to postpone indefinitely.

Mr. Bryant, of Nash, offered an amendment,

Pending the question on which the bill was on motion laid on the table.

In pursuance of the special order of the day, the hour having arrived, the House proceeded to the consideration of the bill to lay off the State into eight Congressional Districts.

The bill having been read the second time, a motion was made to postpone until Monday, and make the special order for 12 o'clock.

Which was decided in the negative—Yeas 24, nays 71.

Mr. Adams, of Iredell, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Avery, Burton, Caldwell of Guilford, Carmichael, Dortch, Ellis, Erwin, Foreman Harris of Cabarrus, Leach, Long of Randolph, Love, McNeill, Poryear, Shumpock, Smith, Styles, Strange, Stubbs, Teague, Webb and Wilder—32.

Those who voted in the negative are :

Messrs. Adams, Albertson, Alford, Barco, Barrett, Blow, Brooks, Bryant, Bynum of Northampton, Byrd, Calloway, Cherry, Chesnut, Cook, Corbett, Daniel, Durham, Eure, Furr, Gaither, Godwin, Gwynn, Harris of Davidson, Hawkins, Hill of Caswell, Hill of Duplin, Holman, Jarvis, Johnson, Jones, Lander, Long of Caswell, Lowry, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Mooring, McDugald, Norfleet, Pegram, Perkins, Phelps, Phillips, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Sherrill, Sutton, Thornburg, Tolson, Trexler, Tripp, Turner, of Iredell, Turner of Orange, Watters, Waugh, Williams of Greene, Williams of Warren, Wood, Dargan and Wyune—71.

On motion of Mr. Franklin, of Martin, the bill was laid on the table, and the following resolution concerning the subject adopted:

Resolved, That a message be sent to the Senate, proposing to raise a joint select committee of two on the part of each House to take into consideration the Congressional Districts of the State.

The Committee on the part of the House consists of Messrs. Martin and Long of Randolph.

On motion of Mr. Saunders, of Wake,

Resolved, That a message be sent to the Senate, proposing to go into an election for a Judge of the Superior Court of law and equity on Monday at 11 o'clock, and that the Judge who may be elected, shall be required to reside in the 1st, 3rd, 5th or 7th Judicial Circuit.

A message was received from the Senate, informing the House that Messrs. Hoke and Mitchell form the Senate branch of the Committee to superintend the election of Solicitor of the 7th Judicial Circuit.

In pursuance of the joint order of the two Houses, the hour having arrived,

The House proceeded to vote with the following result, for Solicitor of the 7th Circuit:

FOR MR. GAITHER.

Messrs. Speaker, Adams, Albertson, Alford, Amis, Barco, Byrd, Caldwell, of Guilford, Calloway, Carmichael, Cherry, Cook, Daniel, Dargan, Erwin, Eure, Fagg, Furr, Gaither, Gwynn, Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Leach, Long of Randolph, Lowry, Love, Matthews, Miller, Mills, Munday, McDugald, McIntyre, Perkins, Phillips, Puryear, Sanders of Johnson, Shimpock, Spruill, Styles, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Watters, Webb, Whitehurst, Williams of Greene and Wynne—54.

FOR MR. BURTON.

Messrs. Allen, Avery, Barrett, Black, Blow, Bryant, Bynum of Northampton, Chesnutt, Collins, Cotten, Corbett, Dobbin, Dobson, Dortch, Durham, Ellis, Fonville, Foreman, George, Godwin, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Long of Caswell, Lyon of Orange, Martin, Marshall, Mooring, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Russell, Saunders of Wake, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Ward, Waugh, Wheeler, Williams of Warren and Wood—50.

A message was received from the Senate, concurring in the proposition to raise a Joint Select Committee on Congressional Districts, and informing the House that Messrs. Bynum and Person form the Senate branch of the Committee.

Also informing the House, that the Senate had laid on the table the proposition to vote for Judge of the Superior Court at 11 o'clock Monday next.

Mr. Puryear, chairman, reported back to the House a resolution in relation to a public lot adjoining the city of Raleigh, with a bill as a substitute, and recommended its passage.

Whereupon, it was read the second time.

Mr. Saunders, of Wake, moved to amend the amendment, by striking out the condition to pay \$150, and inserting "that any officer of the Government or member of the General Assembly, who may die in the city of Raleigh, shall be buried in said burial ground;" which amendment being rejected, the amendment of the committee was adopted, and the bill passed its second reading.

Mr. Puryear, in behalf of the Committee on Propositions and Grievances, reported back to the House a bill concerning pilots and pilotage, and recommended its passage.

Whereupon, the bill was read the second time, and, on motion of Mr. Wynne, indefinitely postponed.

Mr. Lowry, from the committee to superintend the election of Solicitor, for the 7th Judicial Circuit, submitted the following report; which was concurred in:

That 146 votes were cast—that 74 were necessary for a choice: that Mr. Burton received 74, Mr. Gaither 72: that as Mr. Burton had received a majority of all the votes, he was duly elected.

On motion of Mr. Cotten, of Chatham, a bill to incorporate the North Carolina and Tennessee Railroad company was taken from the table.

The question pending, being the motion to reconsider the vote, by which Mr. Avery's amendment had been rejected.

The motion to reconsider being withdrawn, and the question recurring on the passage of the bill its second reading.

Mr. Saunders, of Wake, moved to amend, by striking out all after the words "a bill," and inserting a substitute offered by him.

Mr. Webb, of Rutherford, moved to amend the amendment, by adding two additional sections, providing for the connection of the Anson and Spartanburg Railroad, with the North Carolina and Tennessee Railroad, at some point between Salisbury and the Blue Ridge whenever a company shall be formed by private subscription of one million of dollars, &c.

Which amendment was rejected—Nays 88, yeas 2.

Mr. Webb, of Rutherford, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Mills and Webb—2.

Those who voted in the negative are :

Messrs. Adams, Albertson, Alford, Allen, Amis, Avery, Barco, Barrett, Black, Blow, Bryant, Burton, Bynum of Northampton, Caldwell of Guilford, Calloway, Collins, Cook, Cotten, Corbett, Daniel, Dargan, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Eure, Foreman, Furr, Gaither, George, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Hawkins, Hill of Caswell, Hill of Duplin, Holman, Jarvis, Johnson, Lander, Long of Caswell, Long of Randolph, Lowry, Lyon of Orange, Martin, Marshall, Matthews, Miller, Munday, McDugald, McIntyre, McNeill, Norfleet, Perkins, Phelps, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Johnson, Saunders of Wake, Scales Sherrill, Shimpock, Smith, Spruill, Stubbs, Sutton, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Watters, Ward, Waugh, Wheeler, Whitehurst, Williams of Greene, Williams of Warren and Wood—88.

Mr. Webb moved to amend, by striking out "at or near Salisbury," and inserting, "that the road shall commence at Salisbury or Charlotte, or at some intermediate point."

Which amendment being rejected, and the question recurring on the amendment of Mr. Saunders.

It was adopted—Yeas 53, nays 45.

The yeas and nays were demanded,

Those who voted in the affirmative, are:

Messrs. Adams, Albertson, Allen, Avery, Burton, Byrd, Caldwell of Guilford, Calloway, Cook, Dargan, Dobbin, Dortch, Durham, Erwin, Fagg, Fonville, Gaither, Gwynn, Harris of Cabarrus, Hawkins, Hill of Duplin, Johnson, Long of Randolph, Lowry, Love, Lyon of Orange, Miller, Mills, Munday, McDougald McNeill, Phillips, Puryear, Russell, Saunders of Wake, Sauls, Sherrill, Sainpock, Styles, Stubbs, Sutton, Teague, Thornburg, Trexler, Tripp, Turner of Tredegar, Turner of Orange, Waters, Walton, Ward, Webb, Wheeler, Whitehurst and Wood—53.

Those who voted in the negative, are :

Messrs. Alford, Amis, Barco, Barrett, Black, Blow, Byrant, Bynum of Northampton, Cherry, Chesnutt, Collins, Cotten, Corbett, Daniel, Dobson, Dunn, Ellis, Eure, Foreman, Furr, George, Godwin, Harris of Davidson, Hill of Caswell, Holeman, Jarvis, Jones, Lander, Leach, Long of Caswell, Martin, Marshall, Matthews, Mooring, McIntyre, Norfleet, Phelps, Reid of Rockingham, Rives, Sanders of Johnson, Scales, Smith, Tolson, Waugh, Williams of Greene and Williams of Warren—45.

Pending the question on the passage of the bill its second reading, the House took a recess.

AFTERNOON SESSION.

On motion of Mr. Stubbs, of Beaufort, Mr. Long, of Randolph, was excused from further service on the committee of Internal Improvements.

On motion of Mr. Reid, of Duplin, leave was granted to the Committee on Private Bills, to sit during the sessions of the House.

On motion of Mr. Adams, of Iredell, a message was ordered to be sent to the Senate, proposing to vote for two Trustees of the University, to day at a quarter past four o'clock.

Mr. Strange, of New Hanover, introduced a bill to amend an act entitled an act, to provide for a reassessment of the lands of this State and a more accurate enlistment of the taxable polls, which was read the first time, passed and referred to the Committee on Corporations.

Mr. Black, of Mecklenburg, introduced a bill to amend an act, entitled an act to incorporate the town of Charlotte, in the county of Mecklenburg; which was read the first time and passed.

Mr. Tripp introduced a bill concerning elections in Beaufort county; which was read the first time and passed.

Mr. Dobbin, of Cumberland, introduced a bill to amend an act to emancipate Lucy, a slave, and her child Laura, passed at the session of 1850-'51; which was read the first time and passed.

Mr. Strange, of New Hanover, introduced a bill to amend an act, entitled an act, to amend an act passed in the year 1818, chapter 42, entitled an act to elect a magistrate for the town of Wilmington; which was read the first time and passed.

Mr. Wheeler, of Lincoln, introduced a bill to lay off the State into ten Electoral Districts, for President and Vice President of the United States; which was read the first time and passed.

Mr. Avery, chairman, in behalf of the Committee on Internal Improvements, to whom was referred so much of the Governor's Message, as relates to the Wilmington and Manchester Railroad company, made a report, accompanied by the three following bills, the passage of which the committee recommend:

A bill to amend an act, entitled an act, to amend an act incorporating the Wilmington and Raleigh Railroad company; which was read the first time and passed.

A bill directing the dividends on the stock of the State, in the Wilmington and Manchester Railroad company, to be paid into the Treasury as a part of the Literary Fund; which was read the first time and passed.

A bill to amend an act, entitled an act to incorporate the Wilmington and Manchester Railroad company; which was read the first time and passed.

Mr. Erwin introduced a bill for the relief of Jacob Aby, of the county of Burke; which was read the first time and passed.

Mr. Love, of Haywood, introduced a bill to incorporate the Rich Mountain Turnpike company; which was read the first time and passed.

Mr. Munday, of Macon, introduced a bill to provide for making returns to the agent for collecting Cherokee bonds, by the entry trakers of Macon, Haywood and Cherokee ; which was read the first time and passed.

On motion of Mr. Perkins, of Halifax,

Resolved, That from and after Saturday, the 18th instant, no private bill shall be introduced for the consideration of this House.

A resolution in favor of Wm. R. White and Lewis Hifflin was introduced, read the first time, passed and referred to the Committee on Claims.

Mr. McNeill, of Robeson, introduced a resolution in favor of Wm. R. Lovell ; which was read the first, second and third times, and ordered to be enrolled.

Mr. Scales, of Rockingham, introduced a bill to emancipate Joseph Bowling, a slave ; which was read the first time, and, on motion of Mr. Miller, of Caldwell, rejected.

Mr. Williams, of Warren, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Alford, Avery, Barco, Barrett, Blow, Brooks, Bryant, Byrd, Caldwell of Guilford, Carmichael, Cherry, Collins, Cook, Daniel, Dobson, Dortch, Dunn, Ellis, Eure, Foreman, Furr, Gantner, Harris of Cabarrus, Harris of Davidson, Hawkins, Holeman, Johnson, Jones, Lander, Long of Caswell, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Moring, Munday, McDugald, McIntyre, Norfleet, Perkins, Rives, Russell, Sanders of Johnson, Sauls, Sherrill, Shimpock, Smith, Styles, Sutton, Teague, Tolson, Trexler, Turner of Orange,, Ward, Webb, Whitehurst, Williams of Warren, Wood and Wynne

—63.

Those who voted in the negative, are:

Messrs. Albertson, Black, Burton, Bynum of Northampton, Corbett, Dargan, Durham, Ellis, George, Gwynn, Hill of Caswell, Jarvis, Lowry, Love, McNeill, Pegram, Phelps, Puryear, Reid of Duplin, Reid of Rockingham, Scales, Strange, Stubbs, Thornburg, Tripp, Walton, Waugh and Wheeler—23.

Mr. Dobson, of Surry, moved to take from the table the list of Magistrates for Yadkin county, and upon this motion demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Avery, Black, Blow, Bryant, Bynum of Northampton, Chestnut, Corbett, Dobbin, Dobson, Dunn, Ellis, Fonville, Furr, George, Hawkins, Hill of Caswell, Lander, Long of Caswell, Lyon of Orange, Mooring, Munday, McNeill, Pegram, Reid of Duplin, Reid of Rockingham, Rives, Russell, Scales, Strange, Walton, Ward, Waugh, Wheeler, and Williams, of Warren—37.

Those who voted in the negative, are:

Messrs. Albertson, Alford, Barco, Caldwell of Guilford, Calloway, Collins, Cook, Daniel, Dargan, Erwin, Eure, Gaither, Godwin Gwynn, Harris of Cabarrus, Harris of Davidson, Holeman, Jarvis, Johnson, Jones, Leach, Long of Randolph, Lowry, Love, Martin, Matthews, Miller, Mills, McDugald, McIntyre, Norfleet, Perkins, Phelps, Phillips, Puryear, Sanders of Johnson, Sauls, Sherrill, Shimpock Smith, Spruill, Styles, Stubbs, Sutton, Thornburgh, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Webb, Whitehurst, Williams of Greene, Wood and Wynne—57.

So the House refused to take from the table.

Mr. Blow, in behalf of the Select Committee, to whom was referred memorials praying for the establishment of a Medical Board, reported the same back to the House, and asked to be discharged from its further consideration.

Which report was concurred in.

A message was received from the Senate, refusing to concur in the proposition to vote for two Trustees of the University, to-day at a quarter-past 4 o'clock, P. M.

Mr. Cherry, of Bertie, introduced a resolution to increase the salary of the Treasurer and his Clerk.

A motion was made to reject, and the yeas and nays demanded.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Amis, Barco, Bryant, Byrd, Carmichael, Cotten, Durham, Ellis, Erwie, Eure, Furr, Gaither, Gwynn, Harris, of Davidson, Holeman, Johnson, Jones, Love, Lyon of Orange, Martin, Matthews, Miller, Mills, McDuga'd, McIntyre, Perkins, Puryear, Reid of Rockingham, Sanders of Johnson, Sauls, Sherrill, Shimpock, Styles, Stubbs, Teague, Thornburg, Tolson, Trexler, Turner of Iredell, Walton, Whitehurst, Williams of Greene and Wynne—46.

Those who voted in the negative, are :

Messrs. Avery, Barrett, Black, Blow, Brooks, Burton, Bynum of Northampton, Caldwell of Guilford, Calloway, Cherry, Collins, Cook, Daniel, Dargan, Dobbin, Dobson, Dortch, Dunn, Foreman, George, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Long of Caswell, Long of Randolph, Lowry, Marshall, Mooring, McNeill, Pegram, Phelps, Phillips, Rives, Scales, Smith, Strange, Sutton, Tripp, Turner of Orange, Waugh, Webb, Wheeler, Williams of Warren, Wood, Lander, Norfleet and Spruill—48.

So the House refused to reject.

EVENING SESSION.

On motion of Mr. ———,

Resolved, That the Public Treasurer be, and he is hereby, authorized, to borrow such sum or sums of money, not to exceed two hundred thousand dollars, as may be necessary to meet the proper liabilities of the State, until the meeting of the next General Assembly, provided that the sum so borrowed shall be repaid by the Public Treasurer as soon as the condition of the Treasury will enable him to do so.

Which was read the first time and passed, and the rule being suspended, was read the second and third time and ordered to be engrossed.

A bill to establish a public road in the county of Madison, was read the second time, and, on motion, made the order of the day for Monday, 11 o'clock.

The following bills were read the third time, passed, and ordered to be engrossed:

A bill to establish the Merchants' Bank of Wilmington ;

A bill to amend to amend an act of 1838-'39, chapter 57, entitled an act to confer on Courts certain powers over imprisoned lunatics ;

A bill to incorporate the Salisbury, Mocksville and Wilkesboro' Plank Road company ;

A bill for the protection of boats, canoes, coasting and sea vessels ;

A bill to authorize the union of the Greenville and Roanoke Railroad company, with the Petersburg Railroad company ;

A bill in favor of John Smith, of New Hanover ;

A bill to amend an act, entitled an act to incorporate the town of Lumberton, passed at the session of 1850-'51.

A bill to incorporate the Charleston, Blue Ridge and Chattanooga Railroad company, was read the third time, passed and ordered to be enrolled.

On motion, the House adjourned.

MONDAY, Dec. 20, 1852.

The Committee on Enrolled Bills for the week consists of Messrs. Albertson, Bynum of Northampton, McIntyre, Johnson and Waugh.

Mr. Miller, of Caldwell, introduced the following resolution ; which was read and rejected.

Resolved, That a committee of three be appointed to ascertain who shall pay for the chair broken in the Commons House yesterday.

The consideration of the unfinished business of yesterday, a bill to incorporate the North Carolina and Tennessee Railroad company, was resumed.

The question pending being on the passage of the bill,

It was decided in the affirmative—Yeas 46, nays 45.

Mr. Cottua, of Chathan, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Avery, Brooks, Burton, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Cook, Daniel, Dargan, Erwin, Fonville, Gaither, Gwynn, Harris of Cabarrus, Johnson, Leach, Lowry, Love, Miller, Mills, Munday, McDugald, McIntyre, McNeill, Pegram, Perry, Russell, Sherrill, Styles, Stubbs, Sutton, Teague, Trexler, Tripp, Turner, of Iredell, Walton, Ward, Webb, Wheeler, Whitehurst, Wood and Wynne—46.

Those who voted in the negative, are :

Messrs. Alford, Barco, Bryant, Bynum of Chatham, Bynum of Northampton, Chesnut, Christmas, Cotten, Corbett, Dobson, Dortch, Durham, Ellis, Eure, Foreman, Furr, George, Harris of Davidson, Hill of Caswell, Hill of Duplin, Holman, Jarvis, Jones, Lander, Long of Caswell, Lyon of Orange, Martin, Norfleet, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Sauls, Scales, Smith, Spruill, Thornburg, Tolson, Turner of Orange, Waugh, Williams of Greene and Williams of Warren—45.

On motion, the rule was suspended and the bill was read the third time and passed.

Mr. Phillips, of Orange, moved to reconsider the vote, by which the bill passed its third reading.

Mr. Cotten, of Chatham, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Alford, Amis, Barco, Black, Bryant, Bynum of Chatham, Bynum of Northampton, Cotten, Corbett, Dobson, Durham, Ellis, Eure, Foreman, George, Harris of Davidson, Holman, Jarvis, Jones, Lander, Leach, Long of Caswell, Lyon of Orange, Marsial, Matthews, Miller, Mooring, Norfleet, Perry, Perkins, Phelps, Reid of Rockingham, Sanders of Johnson, Scales, Smith, Thornburgh, Tolson, Waugh, Williams of Greene and Williams of Warren—41.

Those who voted in the negative, are :

Messrs. Adams, Allen, Avery, Burton, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Chesnut, Christmas, Cook, Dargan, Dobbin, Dortch, Erwin, Fagg, Fonville, Furr, Gaither, Gwynn, Harris of Cabarrus, Hill of Caswell, Herring, Hill of Duplin, Johnson, Lowry, Love, Martin, Munday, McDugald, McIntyre, McNeill, Phillips, Puryear, Reid of Duplin, Rives, Russell, Saunders of Wake, Sauls,

Sherrill, Shimpock, Spruill, Styles, Sutton, Teague, Trexler, Tripp, Turner of Iredell, Turner of Orange, Walton, Ward, Webb, Wheeler, Whitehurst, and Wood—55.

So the House refused to reconsider.

A bill to establish a new county by the name of Wilson was taken up, and on motion of Mr. Love laid on the table.

Mr. Saunders, of Wake, Chairman, in behalf of the Committee on the Judiciary, leave being granted, reported back to the House,

A bill to establish a homestead freehold, with an amendment, and recommended that the amendment be adopted and the bill passed.

Whereupon the bill was read the second time.

Mr. Durham, of Orange moved to amend the 5th section by striking out "five hundred," and inserting "three hundred."

Which amendment was adopted—Yeas 50, nays 23.

Mr. Phillips, of Orange, moved to strike out, in the 2d section, the word "citizens" and insert "head of white family."

Mr. Dortch, of Wayne, moved to amend the amendment, by striking out "head of white family," and inserting "house keeper."

Which amendment was rejected.

The question then recurring on the amendment of Mr. Phillips,

It was decided in the negative—Yeas 22, nays 65.

Mr. Avery, of Burke, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Bynum of Chatham, Bynum of Northampton, Chesnut, Dortch, Durham, Furr, George, Marshall, Matthews, Mc'nyre, Phillips, Sauls, Sherrill, Stubbs, Sutton, Trexler, Tripp, Turner of Iredell, Turner of Orange, Williams of Greene, and Williams of Warren—22.

Those who voted in the negative, are :

Messrs. Albertson, Alford, Allen, Amis, Avery, Barco, Black, Blow, Bryant, Burton, Byrd, Cadwell of Guilford, Calloway, Carmichael, Cherry, Christmas, Collins, Cook, Daniel, Dargan, Dobson, Erwin, Eure, Fagg, Fonville, Foreman, Gatcher, Gwynn, Harris of Cabarrus, Harris of Davidson, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Johnson, Jones, Lander, Long of Caswell, Lowry, Love, Lyon of Granville, Lyon of Orange, Miller, Mills, Mooring, Munday, McDugald, Perry, Perkins, Puryear, Reid of Rockingham, Rives, Sanders of Johnson, Scales, Smith, Spruill, Styles, Teague, Thornburgh, Tolson, Walton, Waugh, Webb, Wheeler and Whitehurst—65.

Mr. Reid, of Duplin, moved the following amendment, which was rejected—Yeas 20, nays 70 :

Add to the second section : “ *Provided*, That, if at any time after said homestead freehold shall be laid off, the same shall increase in value above three hundred dollars, said freehold shall not be exempt from execution.”

Mr. Eure demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Bynum of Chatham, Carmichael, Chesnutt, Cook, Ellis, Erwin, Gwynn, Holeman, Love, Lyon of Granville, Lyon of Orange, Martin, McDugald, Norfleet, Pegram, Reid of Duplin, Sherrill, Strange, Trexler and Walton—20.

Those who voted in the negative, are :

Messrs. Albertson, Alford, Allen, Amis, Avery, Black, Blow, Brooks, Bryan, Burton, Bynum of Northampton, Byrd, Caldwell of Guilford, Calloway, Cherry, Christmas, Collins, Daniel, Dargan, Dobson, Dortch, Durham, Eure, Fagg, Foreman, Gaither, Harris of Cabarrus, Harris of Davidson, Hill of Caswell, Hill of Duplin, Jarvis, Johnson, Jones, Lander, Long of Caswell, Lowry Marshall, Matthews, Miller, Mills, Mooring, Munday, McIntyre, Perry, Perkins, Phelps, Phillips, Puryear, Reid of Rockingham, Rives, Saunders of Wake, Sauls, Scales, Smith, Spruill, Styles, Sutton, Teague, Thornburg, Tolson, Tripp, Turner of Iredell, Turner of Orange, Waugh, Webb, Wheeler, Whitehurst, Williams of Greene and Williams of Warren—70.

Mr. Reid, of Duplin, moved to postpone the bill indefinitely.

Which motion was lost—Yeas 39, nays 58.

Mr. Eure, of Gates, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Adams, Allen, Barco, Black, Bynum of Chatham, Chesnut, Daniel, Dobson, Dortch, Ellis, Furr, Gaither, George, Harris of Cabarrus, Harris of Davidson, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Lander, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Miller, Mills, Norfleet, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sauls, Scales, Sherrill, Thornburg, Tolson, Trexler and Walton—39.

Those who voted in the negative, are :

Messrs. Albertson, Alford, Amis, Avery, Blow, Brooks, Bryant, Burton, Bynum of Northampton, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Christmas, Collins, Cook, Cotten, Corbett, Dargan, Durham, Erwin, Fagg, Fonville, Gwynn, Johnson, Jones, Lowry, Love, Matthews, Munday, McDugald, McIntyre, McNeill, Pegram, Perry, Perkins, Phelps, Phillips, Sanders of Johnson, Saunders of Wake, Smith, Spruill, Styles, Strange, Sutton, Teague, Tripp, Turner of Iredell, Turner of Orange, Waugh, Webb, Whitehurst, Williams of Greene, Williams of Warren, Eure and Wynne—53.

Mr. Daniel, of Hertford, moved the following amendment :

“That whenever the freehold laid off under this act, shall exceed in value one thousand dollars, the excess shall be subject to taxation.”

Mr. Caldwell, of Guilford, moved to amend the amendment, by striking out one thousand, and inserting five hundred.

Which was adopted.

And the question recurring on the amendment, as amended, was decided in the negative—Yeas 42, nays 47.

Mr. Harris, of Davidson, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Allen, Black, Blow, Bryant, Bynum of Chatham, Bynum of Northampton, Caldwell of Guilford, Chesnutt, Cook, Corbett, Daniel, Dabson, Dortch, Durham, Ellis, George, Harris of Davidson, Hill of Caswell, Jarvis, Johnson, Jones, Lander, Long of Caswell, Lyon of Granville, Lyon of Orange, McDugald, Norfleet, Phillips, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Sauls, Sherrill, Sutton, Thornburg, Tolson, Wheeler, Williams of Greene, Williams of Warren—42.

Those who voted in the negative, are :

Messrs. Albertson, Alford, Amis, Avery, Bareo, Burton, Byrd, Calloway, Carmichael, Cherry, Christmas, Collins, Dargan, Eure, Fagg, Furr, Gaither, Gwynn, Hill of Duplin, Lowry, Love, Marshall, Matthews, Miller, Mills, Mooring, Munday, McIntyre, McNeill, Perry, Perkins, Phelps, Puryear, Sausders of Wake, Scales, Smith, Spruill, Styles, Strange, Teague, Tripp, Turner of Iredell, Turner of Orange, Waugh, Webb, and Wynne—47.

Mr. Adams, of Iredell, moved to lay the bill on the table.

Mr. Eure demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Allen, Barco, Black, Blow, Bryant, Bynum of Chatham, Chesnut, Cook, Corbett, Corten, Dobbin, Dortch, Dunn, Durham, Ellis, Fonville, Foreman, Furr, Gaither, Harris of Cabarrus, Harris of Davidson, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Lander, Lyon of Granville, Lyon of Orange, Milis, Norfleet, Phillips, Pryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Strange, Sutton, Thornburg, Tolson, Trexler and Walton—46.

Those who voted in the negative are :

Messrs. Albertson, Alford, Amis, Avery, Burton, Bynum of Northampton, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Christmas, Collins, Daniel, Dargatz, Erwin, Eure, Fagg, Gwynn, Johnson, Jones, Lowry, Love, Marshall, Matthews, Miller, Mooring, Monday, McDugald, McIntyre, McNeill, Perry, Perkins, Phelps, Sherrill, Smith, Spruill, Styles, Stubbs, Teague, Tripp, Turner, of Iredell, Turner of Orange, Waugh, Webb, Wheeler, Whitehurst, Williams of Greene, Williams of Warren and Wynne—50.

Mr. Cook, of Wilkes, moved the following amendment

Which was rejected—Yeas 42, nays 51.

Resolved, That every white house-holder who does not own a freehold of fifty acres of land, shall be authorized to enter fifty acres of land of any of the vacant lands in the State, free of cost.

Mr. Cook demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Allen, Bynum of Chatham, Chesnut, Cook, Corbett, Dobbin, Dobson, Durham, Ellis, Fonville, Furr, Gaither, George, Harris of Davidson, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Lander, Long of Caswell, Lyon of Orange, Lyon of Granville, Martin, Miller, Norfleet, Pegram, Phillips, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Sauls, Sherrill, Strange, Sutton, Thornburg, Tolson, Trexler, Walton, Waugh and Williams of Warren—42.

Those who voted in the negative, are :

Messrs. Albertson, Alford, Amis, Avery, Brooks, Bryant, Burton, Bynum of Northampton, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Dargan, Erwin, Eure, Fagg, Foreman, Gwynn, Harris of Cabarrus, Johnson, Jones, Leach, Lowry, Love, Marshall, Matthews, Miller, Mooring, Munday, McDugald, McIntyre, Perry, Perkins, Phelps, Puryear, Saunders of Wake, Scales, Smith, Spruill Styles, Stubbs, Teague, Tripp, Turner of Iredell, Turner of Orange, Webb, Wheeler, Whitehurst, Blow and Williams of Greene—51.

Mr. Reid, of Duplin, moved to amend, by adding to the second section, "that when any Sheriff or other officer shall hold an execution against any person to collect, to whom a freehold has been assigned under the provisions of this act, he is hereby required to summons three free holders, who shall proceed, under oath, to value said free-hold, and if it be ascertained to be of greater value than five hundred dollars, said free-hold shall not be exempt from execution."

Which amendment was rejected.

The question then recurring shall the bill pass?

It was decided in the negative—Yeas 49, nays 50.

Mr. Norfleet, of Edgecombe, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Alford, Amis, Avery, Brooks, Burton, Bynum of Northampton, Byrd, Calloway, Carmichael, Cherry, Christmas, Collins, Dargan, Erwin, Eure, Fagg, Gwynn, Jones, Long of Randolph, Lowry, Love, Marshall, Matthews, Miller, Mills, Mooring, Munday, McDugald, McIntyre, McNeill, Perry, Perkins, Phelps, Saunders of Wake, Smith, Spruill, Styles, Stubbs, Teague, Tripp, Turner of Iredell, Turner of Orange, Waugh, Webb, Whitehurst, Williams of Greene and Wynne—49.

Those who voted in the negative are :

Messrs. Adams, Allen, Barco, Black, Blow, Bryant, Bynum of Chatham, Caldwell, of Guilford, Chesnut, Cook, Cotten, Corbett, Dobbin, Dobson, Dortch, Ellis, Fonville, Foreman, Furr, Gaither, George, Harris of Davidsen, Hill of Caswell, Hill of Duplin, Holeman, Jarvis,

Johnson, Lander, Long of Caswell, Lyon, of Granville, Lyon of Orange, Marshall, Norfleet, Pegram, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Sauls, Scales, Sherrill, Strange, Thornburg, Tolson, Trexler, Walton, Wheeler and Williams of Warren—50.

Mr. Leach, of Davidson, moved to take from the table a bill to ascertain the will of the freemen of North Carolina, as to the call of a *Convention* on the Federal Basis, and make it the special order of the day, for to-morrow, at 1 o'clock.

Which motion was rejected.

In pursuance of the special order, the hour having arrived, the bill to apportion the representation in the House of Commons was taken up and read the second time and passed.

Mr. Leach, of Davidson, moved to take up the bill concerning a committee, and make it the special order of the day for to-morrow, at half past twelve o'clock.

Which motion being divided, and the question being upon taking from the table, it was decided in the affirmative.

Mr. Mooring, of Martin, moved to postpone indefinitely.

Which motion prevailed—Yeas 54, nays 47.

Mr. Mooring demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albertson, Alford, Allen, Avery, Barco, Barrett, Black, Blow, Bryant, Burdett, Bynum of Northampton, Cherry, Chesnut, Christmas, Corbett, Daniel, Dobbin, Dortch, Ellis, Eure, Fonville, Foreman, George, Hill of Caswell, Hill of Duplin, Jarvis, Jones, Lander, Long of Caswell, Lyon of Orange, Mooring, Munday, McNeill, Norfleet, Pegram, Perkins, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Saunders of Wake, Sauls, Scales, Sherrill, Smith, Spruill, Strange, Ward, Wheeler, Whitehurst, Williams of Warren and Wood—54.

Those who voted in the negative, are :

Messrs. Adams, Amis, Bynum of Chatham, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cook, Cotten, Dargan, Dobson, Durham, Erwin, Fagg, Furr, Gaither, Gwynn, Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Leach, Lowry, Love, Marshall, Matthews, Mills, McDugald, McIntyre, Perry, Phillips, Puryear, Sanders of Johnson, Shimpock, Styles, Stubbs, Teague, Thornburgh, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Walton, Waugh, Webb, Williams of Greene—47.

A message was received from the Senate, transmitting an engrossed bill from the House, to provide for the better government of Lincolnton, and to amend the existing corporate laws of said town, with amendment, and asking the concurrence of the House in the same.

The amendment proposed by the Senate was concurred in.

On motion of Mr. Hill, of Caswell,

Resolved. That a message be sent to the Senate, proposing to raise a joint select committee of three on the part of the House and two on the part of the Senate, to consider the public business, and report the earliest possible time for adjournment, due regard being had to the public interest.

Mr. Adams, of Iredell, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Allen, Amis, Avery, Barco, Black, Bryant, Bynum of Chatham, Bynum of Northampton, Caldwell of Guilford, Carmichael, Chesnutt, Corbett, Bobbin, Dortch, Durham, Ellis, Erwin, George, Gwynn, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lowry, Love, Lyon of Granville, Lyon of Orange, Marshall, Matthews, Mooring, Munday, McDugald, McNeill, Pegram, Perry, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Saunders of Wake, Sauls, Scates, Sherrill, Strange, Stubbs, Sutton, Thornburg, Tripp, Turner of Orange, Walton, Waugh, Webb, Wheeler, Whitehurst, Williams of Warren—59.

Those who voted in the negative, are:

Messrs. Adams, Alford, Blow, Byrd, Calloway, Christmas, Cook, Daniel, Dargan, Eure, Fagg, Furr, Gauther, Harris of Cabarrus, Harris, of Davidson, Holeman, Johnson, Jones, Leach, Long of Caswell, McIntyre, Perkins, Shimpock, Smith, Spruill, Teague, Tolson, Trexler, Turner of Iredell and Williams of Warren—30.

A bill to establish a public road in the county of Madison was read the third time, passed and ordered to be engrossed.

The resignation of Calvin H. Wiley, as a member of this House, to take effect from and after Wednesday next, was tendered and accepted. ✓

The committee on the part of this House, to make arrangements for the reception of his Excellency, D. S. Reid, are Messrs. Wynne, Allen, Miller and Reid of Rockingham.

The House took a recess.

AFTERNOON SESSION.

A message was received from the Senate, proposing to vote for United States Senator, to-morrow at 12 o'clock, and to continue to vote, in case of no election, during the day; and if there should be no choice, then to postpone further voting during the session.

Mr. Hill, of Caswell, called for a division of the question.

The question being taken upon the proposition to vote for a Senator, to morrow at 12 o'clock, it was concurred in—Yeas 74, nays 18.

Mr. Hill demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Adams, Alford, Amis, Black, Blow, Bynum of Cnatham, Bynum of Northampton, Byrd, Caldwell of Guilford, Cherry, Christinas, Collins, Cotten, Daniel, Dargan, Dobson, Durham, Ellis, Erwin, Fagg, Fonville, Furr, Gaither, Gwynn, Harris of Cabarrus, Harris of Davidson, Holman, Johnson Jones, Lander, Leach, Long of Randolph, Lowry, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Munday, McDougald, McIntyre, Norfleet, Pegram, Perry, Perkins, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Sherrill, Smith, Stubbs, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Walton, Vaugh, Webb, Williams of Greene, Williams of Warren, Bryant and Wynne—74.

Those who voted in the negative, are :

Messrs. Albertson, Allen, Avery, Burton, Calloway, Carmichael, Chesnut, Cook, Corbett, Dortch, Eure, George, Hill of Caswell, Mooring, McNeill, Strange, Loug of Caswell and Wheeler—18.

The question then being, shall the second part of the proposition from the Senate be concurred in ?

It was decided in the negative—Yeas 27, Nays 62.

The yeas and nays having been demanded,

Those who voted in the affirmative, are :

Messrs. Adams, Alford, Amis, Carmichael, Cherry, Chesnutt, Cook, Daniel, Erwin, Eure, Fonville, Furr, Godwin, Harris of Cabarrus, Holman, Jones, Lander, Long of Caswell, Lowry, Miller, McDougald, McNeill, Perry, Spruill, Stubbs, Turner of Iredell and Whitehurst—27.

Those who voted in the negative, are :

Messrs. Albertson, Allen, Avery, Black, Bryant, Burton, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of Guilford, Calloway, Collins, Cotton, Corbett, Dargan, Dobson, Dortch, Durham, Ellis, Fagg, Gaither, George, Harris of Davidson, Hill of Caldwell, Jarvis, Johnson, Long of Randolph, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Mills, Mooring, Munday, McIntyre, Norfleet, Pegram, Phelps, Puryear, Reid of Duplin, Red of Rockingham, Rives, Sanders of Johnson, Saunders of Wake, Sherrill, Scales, Shimpock, Strange, Thornburgh, Tolson, Trexler, Tripp, Turner of Orange, Wallon, Waugh, Webb, Wheeler, Williams of Greene, Williams of Warren and Wynne—62.

Mr. Stubbs, of Beaufort, introduced a bill to amend an act passed at the session of 1850-51, entitled an act to amend an act for the incorporation of the town of Washington; which was read the first time and passed.

Mr. Dobbin, of Cumberland, from the Committee on the Insane Hospital, leave being granted, made a report, accompanied by a bill to amend an act passed at the session of 1848-49, entitled an act for the establishment of a State Hospital for the insane of North Carolina, and for other purposes; which was read the first time and passed.

Mr. Stubbs, of Beaufort, from the Committee on the Judiciary, submitted a resolution in favor of Thomas Latham, of Beaufort; which was read the second time and passed.

Mr. Stubbs, of Beaufort, from the same committee, reported back to the House a bill to amend an act to incorporate a Bank in the town of Washington, in the county of Beaufort, passed at the last session of the General Assembly, and recommended its passage.

Whereupon, it was read the second time and passed, and the rule being suspended, it was read the third time and passed, and ordered to be engrossed.

Mr. Puryear, chairman, in behalf of the committee on Propositions and Grievances, reported back to the House a

bill to divide the county of Wilkes, and recommended that it do not pass.

Whereupon the bill was read the second time, and, on motion, indefinitely postponed.

Mr. Carmichael demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Albertson, Alford, Allen, Black, Blow, Brooks, Bryant, Bynum of Chatham, Bynum of Northampton, Caldwell of Guilford, Calloway, Carmichael, Chesnut, Christmas, Collins, Corbett, Daniel, Daran, Dolbin, Dobson, Dutch, Durham, Erwin, Eure, Fournville, Furr, Gaither, George, Gwynn, Harris of Davidson, Hill of Duplin, Hologman, Jarvis, Johnson, Jones, Lander, Leach, Long of Caswell, Long of Randolph, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Mooring, Munday, McDugald, McIntyre, McNeill, Norfleet, P. gram, Perkins, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Sauls, Scales, Shimpock, Smith, Spruill, Stubbs, Sutton, Thornburgh, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Walton, Wheeler, Whitehurst, Williams of Greene and Williams of Warren—77.

Those who voted in the negative, are :

Messrs. Adams, Avery, Cook, Ellis, Lowry, Love, Sherrill, Strange, Waugh, and Webb—10.

Mr. Puryear, chairman, in behalf of same committee, reported back to the House a bill to lay off and establish a new county out of a portion of Wilkes and Caldwell counties, to be called Clay, and recommended that it do not pass.

Whereupon, the bill was read the second time and rejected.

Mr. Puryear, chairman, in behalf of same committee, reported a bill to alter and improve the road leading from Trap Hill, in Wilkes county, to the ford of the Yadkin River, at Isaac Martin's, and recommended that it do not pass.

Whereupon, the bill was read the second time and rejected.

Mr. Puryear, chairman, in behalf of same committee, reported back to the House a bill to prevent the obstruction of fish in the waters of Blunt's Creek, and its tributary streams, and recommended its passage.

Whereupon the bill was read the second time and passed.

Mr. Puryear, chairman, in behalf of the same committee, reported back to the House a bill to restore jury trials to the County Court of Rutherford, and recommended its passage.

Mr. Puryear, chairman in behalf of same committee, reported back to the House a memorial from sundry citizens of Chowan, praying for a repeal of the tax on gates, and asked to be discharged from the further consideration of it.

Which report was concurred in, and the committee discharged.

Mr. Puryear, chairman, in behalf of the same committee, reported back to the House a bill to prevent the felling of timber in Hogan's Creek, in the county of Rockingham, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Puryear, chairman in behalf of the same committee, reported back to the House a bill to alter the line of Madison county, and to establish the county of Warren Springs, and recommended that it do not pass.

Whereupon, on motion, the bill was laid on the table.

A communication was presented from the Treasurer, transmitting a statement of the condition of the bank of Washington, on the 1st of December; which was ordered to be sent to the Senate, with a proposition to print.

A communication was received from the Secretary of State, relative to Justices of the Peace; which was ordered to be transmitted to the Senate.

A message was received from the Senate, informing the House that Messrs. McMillan, Kelly and Shaw, form the Senate branch of the Committee on Enrolled Bills.

The Committee on Propositions and Grievances, reported back to the House, a petition from citizens, of Watauga county, praying that commissioners be appointed to lay off the streets of Boone, according to the plot of said town, and asked to be discharged from its further consideration.

Which report was concurred in.

The report of the Cape Fear Navigation company was received, and on motion it was ordered to be transmitted to the Senate, with a proposition to print.

The Committee on Propositions and Grievances, through their chairman, R. C. Puryear, reported back to the House a bill to provide a reassessment of the real estate within the corporate limits of the town of Rockford, in the county of Surry, and recommended its passage.

Whereupon, the bill was read the second time and passed.

A message was received from the Senate, transmitting a bill to extend the right of appeal, prevent unnecessary accumulation of cost, expedite justice and for other purposes, and a bill for the government of Elizabeth City in the county of Pasquotank.

Which were read the first time and passed.

Mr. Cherry, from the Committee on Education, reported back to the House, a bill to provide for the Education of Teachers, which was read the second time, and, on motion, indefinitely postponed.

Mr. Tolson, of Anson, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Albertson, Alford, Allen, Avery, Black, Brooks, Bryant, Bynum of Chatham, Bynum of Northampton, Byrd, Chesnut, Cook, Cotten, Corbett, Dobbin, Dobson, Dortch, Durham, Ellis, Erwin, Fonville, Furr, Gaither, George, Godwin, Harris of Davidson, Hill of Caswell, Hill of Duplin, Jarvis, Jones, Lander, Long of Caswell, Lowry, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Mooring, Munday, McDugald, Norfleet, Perkins, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Sauls, Scales, Sherrill, Shimpeck, Smith, Styles, Stubbs, Sutton, Thornburg, Tolson, Trexler, Turner of Orange, Wallon, Waugh, Webb, Wheeler, Whitehurst, and Williams of Greene—71.

Those who voted in the negative, are:

Messrs. Adams, Blow, Caldwell of Guilford, Calloway, Carmichael, Cherry, Daniel, Eure, Gwynn, Holuman, Johnson, McIntyre, McNeill, Pegram, Perry, Spruill, Teague, Tripp, Turner of Irejell, and Williams of Warren—20.

On motion, the House adjourned.

TUESDAY, Dec. 21, 1852.

Mr. Adams, of Iredell, moved that a message be sent to the Senate, proposing to vote for a Judge of the Superior Court to day at 11 o'clock.

Mr. Dortch, of Wayne, offered the following resolution, as an amendment.

Resolved, That a message be sent to the Senate, proposing to raise a joint Committee of two on the part of each House, to select by lot the circuit for which a Judge of the Superior Courts of law and equity shall be elected.

Mr. Leach, of Davidson, moved to amend the amendment by striking out all after the word Senate, and inserting, proposing to ballot this day at half-past eleven o'clock for Judge, who shall, when elected, reside in the 1st, 3rd, 5th, or 7th Judicial Circuit

Which amendment was adopted.

And the question recurring, on the proposition as amended.

It was was carried, and the message ordered to be sent.

On motion of Mr. Cherry, of Bertie, the resolution relating to Pungo lands, was taken up, read the 3rd time, and passed—Yeas 56, nays 23.

Mr. Marshall, of Stokes, demanded the yeas and nays

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Avery, Blow, Bynum of Northampton, Calloway, Carmichael, Cherry, Chesnut, Corbett, Daniel, Dargan, Dobbin, Ellis, Erwin, Eure, Gaither, George, Gwynn, Hill of Caswell, Hill of Duplin, Holeman, Jones, Lander, Leach, Miller, Munday, McDugald, McIntyre, McNeill, Norfleet, Pegram, Perry, Phelps, Phillips, Puryear, Reid of Rockingham, Rives, Sauls, Scales, Shimpock, Smith, Spruill, Styles, Stubbs, Tripp, Turner, of Iredell, Turner of Orange, Walton, Waugh, Whitehurst, Williams of Greene, Williams of Warren and Wynne—56.

Those who voted in the negative are :

Messrs. Allen, Amis, Black, Bynum of Chatham, Byrd, Cook, Cotton, Dobson, Godwin, Johnson, Lyon of Granville, Lyon of Orange, Marshall, Matthews, Sanders of Johnson, Sherrill, Sutton, Teague, Thornburg, Tolson, Trexler and Webb—22.

The House resumed the unfinished business of yesterday, a bill to lay off the State into fifty Senatorial Districts.

The question pending being the motion of Mr. McIntyre, to strike out all after the enacting clause, and insert the bill offered by him,

Mr. Saunders, of Wake, demanded a division of the question.

And the question being taken on the proposition to strike out, it was decided in the negative—Yeas 49, nays 52.

Mr. Carmichael, of Wilkes, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Adams, Albertson, Alford, Amis, Blow, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Cook, Daniel, Dargan, Erwin, Eure, Fagg, Gaither, Godwin, Gwynn, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Matthews, Miller, Mills, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Smith, Spruill, Stubbs, Teague, Thornburg,

Tripp, Turner of Iredell, Turner of Orange, Webb, Whitehurst, Williams of Greene, and Wynne—49.

Those who voted in the negative, are :

Messrs. Allen, Avery, Black, Bryant, Burton, Bynum of Northampton, Byrd, Chesnutt, Christmas, Cotten, Corbett, Dobbin, Dobson, Dortch, Durham, Ellis, Foreman, Furr, George, Harris of Cabarrus, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Lander, Long of Caswell, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mooring, Munday, McNeill, Norfleet, Pegram, Reid of Duplin, Reid of Rockingham, Rives, Saunders of Wake, Sauls, Scales, Sherrill, Shimpoek, Strange, Sutton, Tolson, Trexler, Walton, Waugh, Wheeler and Williams of Warren—52.

So the House refused to strike out.

Mr. Puryear moved to amend the first section, by striking out Yadkin, in the 44th District, and inserting Wilkes, and in the 45th District strike out Wilkes and insert Yadkin; which amendment was adopted.

Mr Cook demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Amis, Blow, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Cherry, Collins, Cook, Daniel, Dargan, Erwin, Eure, Fagg, Furr, Gaither, Godwin, Gwynn, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Love, Matthews, Miller, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Shimpoek, Smith, Spruill, Stubbs, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Webb, Whitehurst, and Williams of Greene—51.

Those who voted in the negative, are :

Messrs. Allen, Avery, Barrett, Black, Bryant, Bynum of Northampton, Byrd, Chesnutt, Christmas, Cotten, Corbett, Dobbin, Dobson, Dortch, Durham, Ellis, Foreman, George, Hawkins, Hill of Caswell, Hill of Duplin, Lander, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mooring, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Saunders of Wake, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Waugh, Wheeler and Williams of Warren—46.

A message was received from the Senate, informing the House that Messrs. Boyd, Hargrove, Drake and Bynum form the Senate branch of the committee on the reception of his Excellency, David S. Reid.

The committee on the part of the House consists of Messrs. Reid of Rockingham, Wynne, Miller and Sherrill.

A message was received from the Senate, informing the House that Messrs. Clark and Mitchell form the Senate branch of the committee to superintend the election of United States Senator.

The Committee on the part of the House consists of Messrs. Cherry and Strange.

In pursuance of the joint order, the hour having arrived, the House proceeded to vote for United States Senator, with the following result :

FOR MR. WOODFIN.

Messrs. Speaker, Adams, Albertson, Alford, Amis, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Cherry, Cook, Daniel, Dargan, Erwin, Eure, Fagg, Furr, Gailher, Gwynn, Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Leach, Long of Randolph, Lowry, Love, Matthews, Miller, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Shimpock, Smith, Spruill, Stubbs, Thornburg, Tolson, Trexler, Tripp, Turner of Orange, Webb and Williams of Greene—47.

FOR MR. CLINGMAN.

Messrs. Allen, Avery, Black, Blow, Burton, Bynum of Northampton, Byrd, Corbett, Dobbin, Dobson, Dortch, Ellis, George, Hawkins, Hill of Caswell, Long of Caswell, Lyon of Granville, Martin, Mills, Munday, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Sauls, Sherrill, Styles, Sutton, Walton, Waugh, Lander and Wheeler—34.

FOR MR. LEAKE.

Messrs. Barrett, Herring, Hill of Duplin and Lyon of Orange—4.

FOR MR. DOBBIN.

Messrs. Cotten, Marshall, Mooring and Rives—4.

FOR MR. RUFFIN.

Messrs. Durham and Scales—2.

FOR MR. BUSBEE.

Mr. Foreman—1.

FOR MR. CALDWELL.

Mr. Strange—1.

FOR MR. RAYNER.

Messrs. Teague, Wynne and Collins—3.

FOR MR. CRAIG.

Mr. Saunders of Wake—1.

FOR MR. AVERY.

Messrs. Chesnutt and Bryant.

A message was received from the Senate, informing the House that the Senate had laid on the table the proposition to vote for Judge of the Superior Court to-day.

A message was received from the Senate, transmitting the following report of the committee to superintend the reception of the Governor.

Which report was concurred in.

The committee appointed to make arrangements for the inauguration of the Governor elect, ask leave to make the following report :

That the Speakers of the two Houses will occupy the place at the Speaker's table, in the Commons Hall, and that the Governor elect, will occupy the place at the Clerk's table.

The committee of arrangements immediately in front of the Clerk's table. The members of the Senate will sit on the right of the Speaker's Chair, in the Commons Hall, which will be set apart for that purpose, and, after the Governor elect shall have taken and subscribed the oaths of office, in presence of the members of both branches of the General Assembly, the Speaker of the Senate will announce that the Senators will return to the Senate Chamber, and thereupon, the Governor and Committee of Arrangements will retire at the head of the members of the Senate.

Mr. Cherry, from the committee to superintend the election of United States Senator, made the following report; which was concurred in :

That 147 votes were cast—that 74 were necessary for a choice—that Woodfin received 67, Clingman 53, Ruffin 6, Strange 1, Bragg 1, A. A. Shepard 1, Craig 2, Avery 2, Leake 4, Dobbin 4, Busbee 1, Daniel 1, Caldwell 1, and Rayner 3—that, as no one had received a majority of all the votes, there was no election.

On motion, a message was ordered to be sent to the Senate, proposing to vote for United States Senator *forthwith*.

The pension certificates in favor of Mrs. Martha Spears, were presented, and, on motion, referred to the Committee on Claims.

A message was received from the Senate, concurring in the proposition to vote for United States Senator forthwith, and informing the House that Messrs. Clark and Mitchell form the Senate branch of the committee.

The committee on the part of the House, consists of Messrs. Albritton and Dortch.

The House proceeded to vote with the following result :

FOR MR. WOODFIN.

Messrs. Speaker, Adams, Albertson, Alford, Amis, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Cherry, Collins, Cook, Dargan, Daniel, Erwin, Eure, Fagg, Furr, Gaither, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Leach, Long of Randolph, Lowry, Love, Matthews, Miller, McDugald, McIntyre, Perry, Perkins, Puryear, Sanders of Johnson, Shimpock, Smith, Spruill, Styles, Stubbs, Teague, Thornburgh, Tolson, Trexler, Turner of Orange, Webb, Tripp and Williams of Greene—50.

FOR MR. CLINGMAN.

Messrs. Allen, Avery, Barrett, Black, Blow, Bryant, Burton, Bynum of Northampton, Byrd, Corbett, Dobbin, Dobson, Dortch, Ellis, Foreman, George, Hawkins, Hill of Caswell, Hill of Duplin, Lander, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mills, Munday, McNeill, Norfleet, Pegram, Phillips, Reid of Duplin, Reid of Rockingham, Sauls, Scales, Sherrill, Sutton, Walton, Waugh, and Wheeler—40.

FOR MR. RUFFIN.

Messrs. Chesnutt and Durham—2.

FOR MR. DANIEL.

Mr. Christmas—1.

FOR MR. DOBBIN.

Mr. Cotten—1.

FOR MR. BUSBEE.

Mr. Mooring—1.

FOR MR. CRAIG.

Mr. Saunders of Wake—1.

FOR MR. AVERY.

Mr. Rives—1.

The House resumed the consideration of the bill to lay off the Senatorial Districts.

Mr. Dargan, of Anson, moved the following amendment:

Strike Union from Anson, and put Union, Stanly and Cabarrus, as one Senatorial District.

Pending the question on which amendment, the House took a recess.

AFTERNOON SESSION.

Mr. Albertson, from the committee to superintend the election of United States Senator, submitted the following report: which report was concurred in:

That 141 votes were cast—that 71 were necessary for a choice—that Mr. Woodfin received 68, Mr. Clingman 61, Mr. Strange 2, Mr. Ruffin 3, Mr. Joyner 2, Mr. Dobbin 2, Mr. Leake 1, Mr. Busbee 1, Mr. Daniel 1, Mr. Craig 1, and Mr. Avery 1—that, as no one had received a majority of all the votes, there was no election.

The following engrossed bills from the Senate were severally read the first time and passed:

A bill to encourage Agriculture, Domestic Manufactures, and the Mechanic Arts;

A bill to incorporate the Swift Creek Plank Road company;

A bill supplemental to an act passed at the last session of the General Assembly, entitled an act to alter the line between the counties of Buncombe and Henderson;

A bill to regulate the pay of witnesses, in the county of Brunswick;

A bill to authorize the several Courts of Pleas and Quarter Sessions, to pay the Wardens of the Poor;

A bill to regulate appeals to the Supreme Court, in the 6th Judicial Circuit;

A bill to authorize Ambrose Calderon, John Por and others, to establish a toll bridge over New River, in the county of Ashe;

A bill to make indictable certain trespasses;

A bill to amend the Charter of the Ashville and Greenville Plank Road company ;

A bill to consolidate and amend the several acts passed for the government of the town of Oxford, in Granville county ;

A bill to give the Courts of Pleas and Quarter Sessions of the counties of Randolph and Granville, jurisdiction over the sale of real estate, for division amongst joint tenants and tenants in common ;

A bill to refund to the Treasurer certain monies and for other purposes, and a bill to appoint Commissioners to locate the town of Marshall.

Mr. Turner, of Orange, introduced a bill to repeal the 18th section of an act, passed at the session of 1850-51, entitled an act to provide for the increase of the public revenue ; which was read the first time and passed.

Mr. Norfleet, of Edgecombe, introduced a bill to amend an act, passed at the session of the General Assembly, of the State of North Carolina, in the years 1843-'49, entitled an act, to amend an act passed at the session of the Legislature of 1846-47, to authorize the Governor to establish a depot of arms at Newbern, and to validate the payment heretofore made by the Public Treasurer to the keeper of said depot ; which was read the first time and passed.

Mr. Pegram, of Cumberland, introduced a bill to incorporate the Rockfish Plank Road company ; which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Dobbin, of Cumberland, introduced a bill to enlarge the powers of the Commissioners of the town of Fayetteville ; which was read the first time and passed.

Mr. Sutton of Lenoir, introduced a bill to regulate the fees of Constables in certain cases; which was read the first time and passed.

Mr. Puryear, of Surry, introduced a bill to alter and amend an act to incorporate the Salisbury and Taylorsville Plank Road company; which was read the first time and passed.

On motion of Mr. Avery, a bill to appoint the time of the meeting of the General Assembly was taken up and read the third time, passed, and ordered to be engrossed.

Mr. Martin, of Franklin, introduced the following resolution, which was read, and, on motion, laid on the table:

Resolved, That a message be sent to the Senate, proposing to rescind the joint order heretofore agreed on, that the two Houses adjourn on Wednesday the 22nd instant, and proposing that the two Houses will adjourn, *sine die*, on Monday 27th instant.

Mr. Dobbin, of Cumberland, introduced a bill to legalize the rights of the Cape Fear Navigation company, in the Cape Fear River, above the mouth of Crop Creek, and for other purposes.

On motion of Mr. —,

Resolved, That no bills shall be introduced into this House from and after this day, except those in the hands of the committees.

An engrossed bill from the Senate, to emancipate James Hostler, was read the first time and rejected.

Mr. Allen, of Wake, moved to reconsider the vote by which the bill to emancipate James Hostler, was rejected.

Which motion did not prevail.

The House took a recess.

EVENING SESSION.

The following bills were severally read the third time, passed and ordered to be engrossed:

A bill concerning militia of Rutherford county ;

A bill to repeal the 35th chapter of the statutes passed at the session of 1850-'51 ;

A bill to lay off a public road from Enoch Vannoy's mill in Wilkes county, to the Virginia line ;

A bill to authorize James C. Turrentine, sheriff of Orange county, to collect arrears of taxes due him ;

A bill to incorporate the Fayetteville Plank Road company ;

A bill to improve the public road leading from Holeman's ford on the Yadkin River in Wilkes county to the Tennessee line ;

A bill to amend an act entitled and act to incorporate the Roanoke Valley Railroad company ;

A bill to incorporate the Caswell Insurance company in the town of Milton, in Caswell county, North Carolina ;

A resolution in relation to a public lot adjoining the city of Raleigh ;

A bill to provide for the better regulation of the town of Louisburg, in Franklin county ;

A bill to incorporate the Washington and Tarboro' Plank Road company ;

A bill to incorporate the proprietors of the Wilmington Cemetery ;

A bill to establish a public road from the stage road, at Jonas Buskeet's, in Ashe county, to the three top fork road ;

A bill to incorporate the Duplin Plank Road Company ;

A bill to incorporate the North Carolina Steam Carriage and Plank Road company ;

A bill to extend the power of the commissioners of Navigation, for the port of Washington ;

A bill to prevent the obstruction of the passage of fish in the waters of Blount's Creek and its tributary streams ;

A bill to incorporate the Caswell Plank Road Company ;

A bill to prevent the felling of timber in Hogan's Creek in the county of Rockingham ;

A resolution in favor of Thomas Lantham of Beaufort county ;

A bill to amend an act to incorporate Robeson Institute in the county of Robeson.

A bill to amend an act, passed at the session of 1848-'49, entitled an act to provide for the establishment of the State Hospital for the Insane of North Carolina and other purposes, was read the second time, amended and passed, and the rule being suspended, the bill was read the third time and passed.

A bill to incorporate the Trustees of Morning Sun Academy in the county of Wake, was read the third time and laid on the table.

A bill to incorporate King Solomon's Lodge, No. 138, of Ancient York Masons in Masonic Academy, at Long Creek in the county of New Hanover.

A bill to provide for paying tales jurors, in the counties of Northampton and Wake, were read the third time, amended and passed, ordered to be transmitted to the Senate asking the concurrence of that body.

Mr. Cherry, of Bertie, introduced the following resolution: which was adopted and ordered to be engrossed.

Resolved, That our Senators and Representatives in the Congress of the United States be requested to use their exertions to procure an appropriation by Congress, for the erection of a marine hospital at or near Smithville or Wilmington in this State.

The following engrossed bills from the Senate were read the second time, passed and ordered to be enrolled:

A bill to emancipate James Langford, a slave;

A bill to encourage the investment of capital for mining and manufacturing purposes;

A bill to amend an act passed at the session of 1850-51, entitled an act to regulate the pay of jurors and witnesses in the county of Craven;

A bill to confirm the establishment of the county of Yadin;

A bill to incorporate the Charlotte, North Carolina, and Cheraw Plank Road company;

A bill to amend an act passed in 1850-51, to incorporate Lewis, Gold Mining company;

Mr. Dargan, of Anson, introduced the following resolution; which was read the first time and passed:

Be it resolved by the General Assembly of the State of North Carolina, That from and after the 22d of Dec. no member shall receive his per diem or any compensation for his services.

Which was read the first time and passed.

On motion the House adjourned.

WEDNESDAY, Dec. 22d, 1852.

The following communication was received from Seaton Gales, Esq., and read for the information of the House :

HON. JNO. BAXTER,

Speaker of the House of Commons :

SIR,

At the time of making a contract with the committee, to whom the subject had been referred, for an increased number of copies of Prof. Emmons' Report upon his Geological, &c. Survey, I informed the gentlemen who composed it, that I should be compelled to ask indulgence as to the time within which the work shall be executed.

Some progress has been made in printing the report ; but it will be impossible to complete it by the adjournment. It will, however, be ready for delivery shortly thereafter, and I respectfully request that provision be made for its transmission to the members of the Legislature.

Very respectfully,

Your ob't servant,

SEATON GALES,

Public Printer.

On motion of Mr. Leach, of Davidson,

Resolved, That one copy of Professor Emmons' Report be mailed to each member of the Legislature, so soon as Seaton Gates, Esq., shall be able to print said report, and that the balance shall be transmitted to each member, at the same time and manner that the acts of the Assembly are by law transmitted.

Mr. Webb, of Rutherford, introduced a resolution in favor of the Door-Keepers, which was read the first, second and third times, and ordered to be engrossed.

Mr. Leach, of Davidson, moved that a message be sent to the Senate, proposing to go into an election for Judge of the 7th Judicial District, forthwith.

Which motion was adopted—Yeas 44, nays 39.

Mr. Dortch, of Wayne, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Albertson, Alford, Bynum of Chatham, Caldwell of Guilford, Calloway, Cherry, Collins, Cook, Cotten, Dargan, Erwin, Fagg, Furr, Gaither, Godwin, Gwynn, Harris of Davidson, Holeman, Johnson, Leach, Long of Randolph, Lowry, Love, Mathews, Miller, Munday, McDugald, McIntyre, Perry, Puryear, Sanders of Johnson, Saunders of Wake, Shimpock, Styles, Stubbs, Teague, Thornburg, Tripp, Turner of Orange, Walton, Webb, Carmichael and Williams of Greene—45.

Those who voted in the negative, are:

Messrs. Allen, Barrett, Black, Bryant, Bynum of Northampton, Byrd, Christmas, Corbett, Dobbin, Dobson, Dortch, Durham, George, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mills, Mooring, McNeill, Norfleet, Perkins, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Sauls, Scales, Sherrill, Smith, Strange, Sutton and Wheeler—38.

The House resumed the consideration of the unfinished business of yesterday—the bill to divide the State into fifty

Senatorial Districts—the question being the passage of the bill on its second reading.

Mr. Dargan moved to amend the bill, by striking Union from Anson, and inserting Stanly, and putting Union and Cabarrus into one Senatorial District.

Which amendment prevailed—Yeas 49, nays 36.

Those who voted in the affirmative, are :

Messrs. Allen, Amis, Avery, Barrett, Black, Bryant, Burton, Bynum of Northampton, Byrd, Caldwell of Guilford, Chesnutt, Cutter, Corbett, Dargan, Dobbin, Dobsun, Dortch, Durham, Ellis, George, Hawkins, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Johnson, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mills, Mooring, Munday, McNeill, Norfleet, Reid of Duplin, Reid of Rockingham, Rives, Sauls, Scales, Sherrill, Sutton, Walton, Waugh, Webb, Wheeler and Williams of Warren—49.

Those who voted in the negative are :

Messrs. Adams, Albertyson, Alford, Blow, Bynum of Chatham, Calloway, Carmichael, Erwin, Fagg, Foreman, Furr, Godwin, Gwynn, Harris of Davidson, Jones, Leach, Long of Randolph, Luvry, Matthews, McNeill, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Orange and Williams of Greene—36.

Mr. Adams, of Iredell, moved to strike out Alexander from the 45th District, and insert it in the 44th.

Which amendment was adopted.

Mr. Leach moved to amend, by taking Washington from the 4th District, and adding it to the 8th District.

Which amendment prevailed—Yeas 44, nays 35.

Mr. Mooring, of Martin, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Alford, Blow, Bynum of Chatham, Caldwell of Calloway, Carmichael, Cherry, Cook, Daniel, Dargan, Erwin, Eure, Fagg, Furr, Godwin, Gwynn, Harris of Davidson, Holeman, Johnson, Jones, Long of Randolph, Lowry, Matthews, Miller, McDugald, McIntyre, Perry, Phelps, Phillips, Puryear, Rives, Sanders of Johnson, Shimpock, Smith, Stubbs, Teague, Thornburgh, Tolson, Trexler, Tripp, Turner of Orange, Webb and Williams of Greene—44.

Those who voted in the negative, are :

Messrs. Allen, Avery, Barrett, Bryant, Bynum of Northampton, Chesnutt, Corbett, Dobbin, Dobson, Dortch, Ellis, Foreman, George, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Marshall, Miller, Mooring, Munday, McNeill, Norfleet, Reid of Duplin, Reid of Rockingham Scales, Sherrill, Strange, Sutton, Walton and Waugh—35.

Mr. Caldwell, of Guilford, moved to reconsider the vote by which the amendment of Mr. Dargan was adopted.

Which motion prevailed by the casting vote of the Speaker.

Mr. Dargan demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Alford, Blow, Bynum of Chatham, Caldwell, of Guilford, Calloway, Carmichael, Cherry, Cook, Daniel, Erwin, Eure, Fagg, Furr, Godwin, Gwynn, Harris of Davidson, Johnson, Jones, Long of Randolph, Lowry, Matthews, McDugald, McIntyre, Perry, Phelps, Phillips, Puryear, Sanders of Johnson, Shimpock, Smith, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Orange, Webb and Williams of Greene—40.

Those who voted in the negative, are :

Messrs. Allen, Avery, Barrett, Black, Bryant, Bynum of Northampton, Chesnutt, Corbett, Dargan, Dobbin, Dobson, Dortch, Ellis, Foreman, George, Hawkins, Hill of Caswell, Hill of Duplin, Holeman, Jarvis,

Long of Caswell, Lyon, of Granville, Lyon of Orange, Martin, Marshall, Miller, Mooring, Munday, McNeill, Norfleet, Reid of Duplin, Reid of Rockingham, Rives, Saunders of Wake, Sherrill, Strange, Sutton, Walton and Waugh—40.

The question then recurring on the amendment, it was decided in the affirmative—Yeas 45, nays 41.

Mr. Dargan demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Allen, Avery, Barrett, Black, Byrant, Bynum of Northampton, Byrd, Chesnut, Corbett, Dargan, Dobbin, Dobson, Dortch, Ellis, Foreman, George, Hawkins, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Long of Caswell, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Miller, Mooring, Munday, McNeill, Norfleet, Phillips, Reid of Duplin, Reid of Rockingham, Rives, Saunders of Wake, Sauts, Scales, Sherrill, Strange, Sutton, Walton, Waugh and Wheeler—45.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Alford, Blow, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Cherry, Cook, Daniel, Erwin, Eure, Fagg, Furr, Godwin, Gwynn, Harris of Davidson, Johnson, Jones, Long of Randolph, Lowry, Matthews, Mills, McDugald, McIntyre, Perry, Phelps, Puryear, Sanders of Johnson, Shampock, Spruill, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Iredell, and Williams of Greene—41.

Mr. McIntyre, of Richmond, moved to amend, by taking Onslow from the 14th, and making the 18th to consist of Onslow.

Which amendment was rejected—Yeas 43, nays 45.

Mr. Sherrill, of Lincoln, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Adams, Albertson, Alford, Blow, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Cherry, Cook, Daniel, Erwin, Eure, Fagg, Furr, Godwin, Gwynn, Harris of Davidson, Holeman,

Johnson, Jones, Leach, Long of Randolph, Lowry, Matthews, Miller, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Stubbs, Teague, Thoroburn, Tolson, Trexler, Tripp, Turner of Orange, Webb, Whitehurst and Williams of Greene—43.

Those who voted in the negative, are :

Messrs. Allen, Avery, Barrett, Black, Bryant, Burton, Bynum of Northampton, Byrd, Chesnut, Corbett, Dargan, Dobbin, Dobson, Dortch, Durham, Foreman, George, Hawkins, Collins, Hill of Caswell, Hill of Duplin, Jarvis, Long of Caswell, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Mills, Mooring, Munday, McNeill, Norfleet, Phillips, Reid of Duplin, Reid of Rockingham, Rives, Saunders of Wake, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Waugh, Wheeler, and Williams of Warren—45.

On motion of Mr. Saunders, a committee of two was appointed, to whom was referred the subject of the Senatorial District, during the recess.

The House took a recess.

AFTERNOON SESSION.

On motion, a message was ordered to be sent to the Senate, proposing to vote for seven councillors of State, for two years, from the first of January 1853, at quarter-past 4 o'clock.

The following engrossed bills from the Senate were severally read the first time and passed :

A bill to incorporate Perseverance Mining company ;

A bill to provide for the improvement of the public road from Reddins River to the turnpike line :

A bill to revise and continue in force an act to incorporate the North Carolina Manufacturing, Mining and Land company, passed at the session of the General Assembly for 1850 ;

A bill concerning the County Courts of Edgecombe and Guilford ;

A bill in favor of Joseph R. Anderson, of Richmond Virginia ;

A bill to incorporate the Manteo Mining company ;

A resolution in favor of George W. Scarborough ;

A bill defining the duties and powers of Turnpike and Plank Road companies.

The following communication was received and read for the information of the House :

OFFICE RALEIGH AND GASTON RAILROAD COMPANY, }
Raleigh, Dec. 22nd, 1852 }

To the Speaker of the House of Commons :

SIR :

I have the honor, through you, to invite the members and officers of the House of Commons, to pass over this road and return not, at their pleasure the day after the adjournment of the Legislature.

Yours, very respectfully,

(Signed)

L. O'B. BRANCH,

President.

In pursuance of the joint order, the House proceeded to ballot for seven Councillors of State, with the following result :

FOR MR. STALLINGS.

Messrs. Allen, Avery, Barrett, Black, Bryant, Bynum of Northampton, Byrd, Calloway, Chesnutt, Corbett, Dobbin, Dobson, Dortch, Durham, George, Harris of Cabarrus, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Long of Caswell, Long of Randolph, Love, Lyon of Orange, Lyon of Granville, Martin, Marshall, Matthews Miller, Mooring, McDugald, McNeill, Norfleet, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Saunders of Wake, Scales, Sherrill, Styles, Strange, Sutton, Teague, Walton, Waugh, and Wheeler—51.

FOR MR. LANE.

Messrs Speaker, Adams, Allen, Avery, Barrett, Black, Bryant, Bynum of Northampton, Byrd, Calloway, Chesnutt, Corbett, Dobbin, Dobson, Dortch, Durham, George, Harris, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Long of Caswell, Long of Randolph, Love, Lyon of Orange, Lyon of Granville, Martin, Marshall, Matthews, Mills, Mooring, McDugald, McNeill, Norfleet, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Sherrill, Styles, Strange, Sutton, Teague, Walton and Wheeler—50.

FOR MR. BUSBEE.

Messrs. Speaker, Adams, Allen, Avery, Barrett, Black, Bryant, Bynum of Chatham, Byrd, Calloway, Chesnutt, Cotten, Corbett, Dobbin, Dobson, Dortch, Durham, George, Harris of Davidson, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Long of Caswell, Long of Randolph, Love, Lyon of Orange, Lyon of Granville, Martin, Marshall, Mills, Mooring, McDugald, McNeill, Norfleet, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Sherrill, Styles, Strange, Sutton, Teague, Walton, Wagh, Wheeler, Dargan and Mathews—.52.

FOR MR. HILL.

Messrs. Adams, Allen, Avery, Barrett, Black, Bryant, Bynum of Northampton, Byrd, Calloway, Chesnutt, Corbett, Dobbin, Dobson, Dortch, Durham, George, Harris of Davidson, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Long of Caswell, Long of Randolph, Love, Lyon of Orange, Lyon of Granville, Martin, Marshall, Matthews, Mills, Mooring, McDugald, McNeill, Norfleet, Phillips, Reid of Duplin, Reid of Rockingham, Rives, Saunders of Wake, Sauls, Scales, Sherrill, Styles, Strange, Sutton, Teague, Walton, Waugh, and Wheeler—48.

FOR MR. FRENCH.

Messrs. Allen, Avery, Barrett, Black, Bryant, Bynum, Byrd, Calloway, Chesnut, Corbett, Dobbin, Dobson, Dortch, Durham, Harris, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Long of Caswell, Long of Randolph, Love, Lyon of Orange, Lyon of Granville, Martin, Marshall, Matthews, Mills, Mooring, McNeill, Norfleet, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Saunders of Wake, Sauls, Scales, Sherrill, Styles, Strange, Sutton, Teague, Waugh and Wheeler—46.

FOR MR. HENDERSON.

Messrs. Allen, Avery, Barrett, Black, Bryant, Byrd, Calloway, Chesnut, Corbett, Cotten, Dobbin, Dobson, Dortch, Durham, George, Harris, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Long of Caswell, Long of Randolph, Love, Lyon of Orange, Lyon of Granville, Martin, Marshall, Matthews, Mills, Mooring, McDugald, McNeill, Norfleet, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnston, Saunders of Wake, Sauls, Scales, Sherrill, Styles, Strange, Sutton, Teague, Walton, Waugh, Bynum and Wheeler—51.

FOR MR. MILLS.

Messrs. Allen, Avery, Barrett, Black, Bryant, Bynum, Byrd, Calloway, Chesnut, Corbett, Cotten, Dobbin, Dobson, Dortch, Durham, George, Harris, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Long of Caswell, Long of Randolph, Love, Lyon of Orange, Lyon of Granville, Martin, Marshall, Matthews, Mills, Mooring, McDugald, McNeill, Norfleet, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Strange, Sutton, Teague, Walton, Waugh and Wheeler—47.

FOR MR. PIPKIN.

Messrs. Bynum of Chatham, Caldwell of Guilford, Carmichael, Cherry, Collins, Daniel, Dargan, Erwin, Eure, Gwynn, Holeman, Perry, Perkins, Stubbs, Thornburg, Tripp, Johnson and Leach—18.

FOR MR. BAXTER.

Messrs. Albertson, Bynum of Chatham, Cherry, Collins, Daniel, Erwin, Eure, Gwynn, Holeman, Lowry, Webb, Johnson and Leach—13.

FOR MR. PURYEAR.

Messrs. Albertson, Bynum of Chatham, Cotten, Fagg, Lowry, Thornburg, Tripp, Leach and Alford.

FOR MR. MILLER.

Messrs. Bynum of Chatham, Caldwell of Guilford, Carmichael, Cherry, Daniel, Erwin, Eure, Gwynn, Holeman, Lowry, Perry, Perkins, Tripp, Webb and Johnson—15.

FOR MR. JOYNER.

Messrs. Bynum of Chatham, Caldwell of Guilford, Carmichael, Cherry, Collins, Daniel, Erwin, Eure, Gwynn, Holeman, Lowry, Perry, Perkins, Stubbs, Thoruburg, Tripp and Johnson—17.

FOR MR. ELLIOTT.

Messrs. Bynum of Chatham, Cherry, Daniel, Eure, Gwynn, Lowry, Thornburg, Tripp, Johnson and Leach—10.

FOR MR. GILMER.

Messrs. Bynum of Chatham, Collins, Cotten and Leach—4.

FOR MR. WILLIAMS.

Messrs. Caldwell of Guilford, Carmichael, Daniel, Gwynn and Perry—5.

FOR MR. WILLIAMS.

Messr. Phillips and Puryear.

FOR MR. GORRELL.

Messrs. Caldwell of Guilford, Cherry, Daniel, Erwin, Gwynn, Holeman, Perry, Stubbs, Perkins, Thornburg and Johnson—12.

And several scattering.

Mr. Avery, of Burke, from the Committee of two, submitted a report, with amendments, to the bill laying off the State in fifty Senatorial Districts.

Pending the question on the amendment,

The House took a recess until seven o'clock.

EVENING SESSION.

The committee to superintend the election of Councillors of State submitted the following report, which was concurred in :

That 126 votes were cast; that 64 were necessary for a choice; that Mr. Stallings received 89, Mr. Lane 90, Mr. Busbee 89, Mr. Hill 87, Mr. French 87, Mr. Henderson 91, Mr. Mills 89, Mr. Patton 17, Mr. Davidson 17, Mr. Jones 17, Mr. Baxter 18, Mr. Puryear 8, Mr. Miller 16, Mr. Granbury 12, Mr. Leake 15, Mr. Kennan 1, Mr. Pipkin 21, Mr. Joyner 20, Mr. Williams 7, Mr. Gorrell 8, Mr. Finley 1, Mr. Gunn 3, Mr. Elliott 14, Mr. Gilmer 7, Mr. Collins 1, Mr. Russ 1, Mr. Hammond 2, Mr. Morehead 2, Mr. Graham 3, Mr. Kerr 2, Mr. Bryan 2, Mr. Cotten 7, Mr. Thompson 1, Mr. Williamson 2, Mr. Strange 2, Mr. McNeill 1, Mr. Dortch 1, Mr. Scales 1, Mr. Martin 1, Mr. Hill 1, Mr. Sanders 2, Mr. C. Sanders 1, Mr. W. S. Mills 1, Mr.

Smith 1, Mr. Lecraft 15, and Mr. Kirkland 1; that as Messrs. Stallings, Lane, Busbee, Hill, French, Henderson and Mills had received a majority of all the votes, they were duly elected.

The House resumed the consideration of the unfinished business—the bill dividing the State into fifty Senatorial Districts.

The question pending, being the amendment proposed by the committee of Conference,

Mr. Dortch, of Wayne, moved that the bill under consideration be laid on the table, and that the message from the Senate, proposing to rescind the joint order for adjournment this day, be taken up.

Mr. Cherry, of Bertie, moved a call of the House, and demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Albertson, Alford, Blow, Caldwell of Guilford, Calloway, Carnichael, Cherry, Cook, Daniel, Dargan, Erwin, Eure, Fagg, Furr, Gaither, Godwin, Holeman, Jones, Lowry, Martin, Miller, Mc-Dugald, McIntyre, Perry, Perkins, Phelps, Shimpcock, Teague, Tolson, Tripp, Webb, Williams of Greene and Wynne—34.

Those who voted in the negative, are:

Messrs. Allen, Avery, Barrett, Black, Bryant, Burton, Bynum of Chatham, Bynum of Northampton, Byrd, Chesnut, Christmas, Corbett, Dobbin, Dobson, Dortch, Durham, Ellis, Foreman, George, Gwynn, Harris of Davidson, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Johnson, Lander, Leach, Long of Caswell, Long of Randolph, Lyon of Granville, Lyon of Orange, Marshall, Matthews, Mills, Mooring, Munday, McNeill, Norfleet, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Sanders of Johnston, Saunders of Wake, Sauls, Scales, Sherrill, Styles, Strange, Stubbs, Sutton, Thornburg, Trexler, Turner of Orange, Walton, Waugh, Rives and Wheeler—61.

So the House refused a call, and thereupon,

Mr. Fagg of Buncombe moved that the House adjourn.

Which motion was rejected—Yeas 5, nays 86.

Mr. Cherry, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Alford, Caldwell of Guilford, Dargan, Erwin and Fagg—5.

Those who voted in the negative are :

Messrs. Adams, Albertson, Allen, Avery, Barrett, Black, Blow, Bryant, Burton, Bynum of Chatham, Bynum of Northampton, Byrd, Calhoun, Carmichael, Chesnutt, Cook, Corbett, Daniel, Dobbin, Dobson, Dortch, Durham, Ellis, Foreman, Furr, Gaither, George, Godwin, Gwynn, Harris of Davidson, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Johnson, Jones, Lander, Leach, Long of Caswell, Long of Randolph, Lowry, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Mills, Mooring, Munday, McDugald, McIntyre, McNeill, Norfleet, Perry, Phillips, Phelps, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Sherrill, Shimpoek, Smith, Styles, Stubbs, Sutton, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Orange, Walton, Waugh, Webb, Wheeler, Williams of Greene, Wynne and Christmas—86.

The question now recurring on the motion of Mr. Dortch, it was carried—Yeas 50, nays 43.

Mr. Dortch demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Avery, Barrett, Black, Bryant, Burton, Bynum of Northampton, Byrd, Chesnutt, Christmas, Corbett, Dobbin, Dobson, Dortch, Ellis, Foreman, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Long of Caswell, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Mills, Mooring, Munday, McNeill, Norfleet, Phillips, Reid of Duplin, Reid of Rockingham, Rives, Saunders of Wake, Sauls, Scales, Sherrill, Strange, Sutton, Turner of Orange, Walton, Waugh and Wheeler—50.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Alford, Blow, Bynum of Chatham, Caldwell of Guilford, Calloway, Cherry, Collins, Cook, Daniel, Dargan, Erwin, Eure, Fagg, Furr, Gaither, Godwin, Gwynn, Harris of Davidson, Holman, Johnson, Jones, Leach, Long of Randolph, Lowry, Miller, McDugald, McIntyre, Perry, Puryear, Sanders of Johnson, Shimpock, Smith, Styles, Stubbs, Teague, Thornburgh, Tolson, Trexler, Tripp, Webb, Williams of Greene and Wynne—44.

Mr. Leach, of Davidson, moved that a message be sent to the Senate, proposing to ballot for a Judge of the Superior Court for the 7th Judicial Circuit.

Which motion was lost.

Mr. Cherry, of Bertie, moved that the bill to lay off the State into fifty Senatorial Districts be taken up.

Mr. Puryear offered the following resolution :

Resolved, That a message be sent to the Senate, proposing, on condition that that body will agree that both Houses of the General Assembly adjourn to-morrow at 12 o'clock *sine die*, to rescind the joint order for adjournment, the 22d inst., and that the two Houses adjourn to-morrow *sine die*, at 12 o'clock.

The Speaker announced that in the present crisis, he should take the responsibility to take the vote on the resolution submitted by Mr. Puryear, although the motion offered by Mr. Cherry was still before the House.

Mr. Cherry moved that the House do now adjourn.

The Speaker refused to entertain the motion for the reasons, which he had before assigned, and proceeded to put the question on the resolution offered by Mr. Puryear.

Mr. Marshall demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Adams, Albertson, Allen, Black, Blow, Bryant, Burton, Bynum of Chatham, Bynum of Northampton, Byrd, Carmichael, Chesnut, Christmas, Corbett, Dalbin, Dobson, Dortch, Durham, Ellis, Foreman, Gauther, George, Godwin, Gwynn, Harris of Davidson, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Johnson, Jones, Lander, Long of Caswell, Long of Randolph, Lowry, Love, Lyon of Granville, Lyon of Orange, Martin, Marshall, Matthews, Miller, Mills, Mooring, McDugald, McIntyre, McNeill, Perry, Phelps, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Saunders of Wake, Sauls, Scales, Sherrill, Smith, Styles, Strange, Sutton, Thornburgh, Tolson, Trexler, Tripp, Walton, Waugh, Wheeler, Stubbs and Wynn—74.

Those who voted in the negative, are :

Messrs. Alford, Avery, Caldwell of Guilford, Calloway, Cherry, Collins, Cook, Daniel, Dargan, Erwin, Fagg, Furr, Leach, Norfleet, Shimpoek, Teague, Webb, and Williams of Greene—18.

The question was then taken on the motion to take the bill from the table and lost—Yeas 35, nays 52.

Mr. Cook, of Wilkes, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Black, Blow, Caldwell, of Guilford, Carmichael, Cherry, Christmas, Collins, Cook, Daniel, Dobbin, Erwin, Fagg, Gauther, Godwin, Harris of Davidson, Herring, Jarvis, Long of Caswell, Lowry, Love, Mills, Perkins, Phelps, Scales, Shimpoek, Smith, Stobbs, Teague, Tolson, Tripp, Turner of Orange, Webb and Williams of Greene—35.

Those who voted in the negative, are :

Messrs. Alford, Allen, Avery, Barrett, Bryant, Burton, Bynum of Chatham, Bynum of Northampton, Byrd, Chesnut, Corbett, Dargan, Dobson, Dortch, Durham, Ellis, Foreman, George, Gwynn, Hawkins, Hill of Caswell, Hill of Duplin, Holeman, Johnson, Jones, Lander, Long of Randolph, Lyon, of Granville, Lyon of Orange, Martin, Marshall, Matthews, Mooring, McDugald, McIntyre, McNeill, Norfleet, Perry, Phillips, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Sauls, Sherrill, Styles, Strange, Sutton, Thornburgh, Walton, Waugh and Wheeler—52.

A message was received from the Senate, agreeing to the proposition "that on condition the Senate will agree that both Houses adjourn on to-morrow, at 12 o'clock *sine die*, to rescind the joint order for adjournment on the 22d inst., and that the two houses adjourn *sine die*, on to-morrow at 12 o'clock."

Mr. Puryear moved that the House do now adjourn.

Which motion was lost—Yeas 39, nays 46.

Mr. Dargan, of Anson, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Allen, Avery, Black, Byrant, Burton, Bynum of Chatham, Byrd, Caldwell of Guilford, Dortch, Durham, Fagg, Foreman, Gaither, Godwin, Gwynn, Harris of Davidson, Hill of Caswell, Jarvis, Johnson, Jones, Lander, Long of Randolph, Lowry, Love, Lyon of Orange, Perry, Perkins, Phelps, Phillips, Puryear, Sanders of Johnson, Sauls, Styles, Stubbs, Sutton, Teague, Thornburg, Trexler and Tripp—39.

Those who voted in the negative, are :

Messrs. Bynum of Northampton, Carmichael, Cherry, Chesnut, Christmas, Collins, Cook, Corbett, Daniel, Dargan, Dobson, Erwin, Furr, George, Hawkins, Hill of Duplin, Holeman, Leach, Long of Caswell, Martin, Marshall, Matthews, Mills, Mooring, McDugald, McNeill, Norfleet, Reid of Duplin, Reid of Rockingham, Rives, Scales, Sherrill, Shimpock, Smith, Strange, Tolsun, Turner of Orange, Waugh, Webb, Wheeler and Williams of Greene—46.

Mr. Strange, of New Hanover, moved that a message be sent to the Senate, proposing to rescind the joint rule for adjournment to-morrow at 12 o'clock.

Pending which,

On motion, the House adjourned.

THURSDAY, Dec. 23, 1852.

The House resumed the consideration of the unfinished business of yesterday, the motion to lay on the table the motion of Mr. Strange to send a message to the Senate, proposing to rescind the joint order of the two Houses to adjourn to-day at 12 o'clock.

By unanimous consent, Mr. Martin, of Franklin, introduced the following resolution, which was unanimously adopted:

Resolved, That the House of Commons proceed to take up the bill, dividing the State into fifty Senatorial Districts.

Whereupon, the House proceeded to the consideration of the bill.

The question pending, being the amendments proposed by the committee of two, yesterday,

* Mr. Saunders, of Wake, moved the following amendment to the amendment:

Which was rejected—Yeas 33, nays 57.

Restore Madison to 49th District, give Alamance and Randolph each a Senator, and add Brunswick to Bladen and Columbus, and to make Richmond and Robeson a District.

Mr. Dargan demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Byrd, Cotten, Dobbin, Dobson, Dortch, Durham, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Leach, Long of Caswell, Long of Randolph, Lyon of Orange, Martin, Marshall, Mills, Munday, McNeill, Pegram, Reid of Rockingham, Saunders of Wake, Sauls, Scales, Sherrill, Sutton, Thornburg, Trexler, Walton, Rives and Wheeler—53.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Alford, Amis, Avery, Black, Blow, Bryant, Burton, Bynum of Chatham, Caldwell of Guilford, Calloway, Cherry, Chesnutt, Collins, Cook, Corbett, Dargan, Ellis, Erwin, Eure, Fagg, Foreman, Gaither, George, Godwin, Gwynn, Harris of Davidson, Holman, Johnson, Lowry, Love, Lyon of Granville, Matthews, Miller, Mooring, McDugald, McIntyre, Norfleet, Perry, Perkins, Phelps, Phillips, Puryear, Reid of Duplin, Sanders of Johnson, Turner of Orange, Vaughn, Webb, Whitehurst, Williams, of Greene, Williams of Warren and Rives—57.

Mr. Saunders, of Wake, offered the following amendment.

Which was adopted—Yeas 58, nays 33.

Strike out the word "Madison" in the 50th District, and insert the word Madison in the 49th District.

Strike out the word Onslow, in the 14th District.

In the 18th District, strike out the words, Bladen and Robeson, and insert the word Onslow.

In the 19th District, insert the word Bladen.

In the 31st District, insert the word Randolph.

In the 33rd District, strike out the word Randolph, and insert Moore.

In the 34th District, strike out the word Moore, and insert the word Robeson.

Mr. McIntyre, of Richmond, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Amis, Blow, Bynum of Chatham, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Collins, Cook, Cotten, Daniel, Erwin, Eure, Fagg, Gaither, Godwin, Gwynn, Harris of Cabarrus, Holeman, Johnson Leach, Long of Randolph, Lowry, Love, Lyon of Granville, Martin, Marshall, Matthews, Miller, Mills, Munday, McDugaid, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders of Johnson, Saunders of Wake, Sherrill, Stubbs, Strange, Thornburg, Tolson, Trexler, Tripp, Turner of Orange, Walton, Webb, Whitehurst, Harris of Davidson and Williams of Greene—58.

Those who voted in the negative are :

Messrs. Allen, Avery, Black, Bryant, Burton, Chesnutt, Corbett, Dargan, Dobson, Dortch, Durham, Ellis, Foreman, George, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Lyon of Orange, Mooring, McNeill, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Sauls, Scales, Strange, Sutton, Waugh, Wheeler and Williams of Warren—33.

The question now recurring on the passage of the bill its second reading,

It was decided in the affirmative—Yeas 57, noes 34.

Mr. Cook, of Wilkes, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Alford, Amis, Blow, Bynum of Chatham, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Collins,

Cook, Cotten, Daniel, Erwin, Eure, Fagg, Gaither, Godwin, Gwynn, Harris of Davidson, Holeman, Johnson, Leach, Long of Caswell, Long of Randolph, Lowry, Love, Lyon of Granville, Martin, Matthews, Miller, Mills, Munday, McDugald, McIntyre, Perry, Perkins, Phillips, Pegram, Rives, Sanders of Johnston, Saunders of Wake, Sherrill, Shimpock, Stubbs, Strange, Thornburg, Tolson, Trexler, Tripp, Turner of Orange, Walton, Webb, Whitehurst, and Williams of Greene—57.

Those who voted in the negative are :

Messrs. Avery, Black, Bryant, Bynum of Northampton, Chesnut, Corbett, Dargan, Dobbin, Dobson, Dorch, Durham, Ellis, Foreman, George, Hawkins, Hill of Caswell, Hill of Duplin, Reid of Rockingham, Sauls, Scales, Sutton, Waugh, Wheeler and Williams of Warren—34.

A motion was made to suspend the rule, and put the bill on its third reading.

Mr. Hill, of Caswell, raised a question of order.

The Speaker decided that under the operation of the resolution of Mr. Martin, unanimously adopted this morning, the bill would be considered until half-past eleven o'clock, unless sooner disposed of finally, and that said resolution was a suspension of the rules, and that therefore the bill would be read the third time.

Mr. Hill, of Caswell, appealed from the decision of the Chair, and demanded the yeas and nays.

Pending the questing of appeal,

The hour of half-past eleven o'clock having arrived,

The House resumed the consideration of the unfinished business—

The motion to lay on the table the motion to send to the Senate a proposition to rescind the joint rule to adjourn *sine die* this day at 12 o'clock.

A message was received from the Senate, proposing to rescind the joint order for adjournment, this day at 12 o'clock and proposing to adjourn Monday the 27th inst

The Speaker announced that he should cut off all further discussion, and put the question on concurring in the proposition from the Senate, after which he should resign to the House the position, which he occupied—said resignation to take effect at 10 o'clock to-morrow.

The question then recurring—shall the message from the Senate be concurred in.

It was decided in the affirmative—Yeas 81, nays 16.

Those who voted in the affirmatives are :

Messrs. Adams, Allen, Amis, Avery, Black, Blow, Bryant, Burton, Bynum of Chatham, Byrd, Calloway, Chesnutt, Collins, Cook, Cotten, Corbett, Dohbin, Dobson, Durham, Ellis, Foreman, Gaither, George, Gndwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Hawkins, Hill of Caswell, Hill of Duplin, Holman, Jarvis, Johnson, Jones, Lander, Long of Caswell, Long of Randolph, Lowry, Love, Lyon of Orange, Lyon of Granville, Martin, Marshall, Matthews, Mills, Mooring, Munday, McDugald, McIntyre, McNeill, Norfleet, Pegram, Perry, Phelps, Phillips, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnson, Saunders of Wake, Sants, Scales, Sherrod, Smith, Styles, Strange, Stubbs, Sutton, Teague, Thornburg, Tolson, Trexler, Turner of Orange, Walton, Waugh, Webb, Wheeler, Williams of Warren and Dorcù—81.

Those who voted in the negative are :

Messrs. Albertson, Alford, Caldwell of Guilford, Carmichael, Cherry, Daniel, Dargan, Erwin, Eure, Fagg, Leach, Miller, Pegram, Shimpock, Tripp, and Williams of Greene—16.

The bill to lay of the State into fifty Senatorial Districts was taken up, the rule being suspended, and read the third time and passed, and ordered to be engrossed.

Mr. Cherry, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Adams, Albertson, Alford, Amis, Blow, Bynum of Chatham, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Collins, Cotten, Daniel, Erwin, Eure, Fagg, Gaither, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Leach, Long of Caswell, Long of Randolph, Lowry, Love, Lyon of Granville, Martin, Matthews, Miller, Mills, Munday, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Rives, Sanders of Johnson, Saunders of Wake, Sherrill, Shimpock, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Orange, Walton, Webb, Whitehurst and Williams of Greene—57.

Those who voted in the negative are :

Messrs. Allen, Avery, Black, Bryant, Burton, Chesnutt, Corbett, Dobbin, Dobson, Dortch, Ellis, Foreman, George, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Lander, Lyon of Orange, Marshall, Mooring, McNeill, Norfleet, Pegram, Reid of Duplin, Reid of Rockingham, Sauls, Scales, Strange, Sutton, Waugh, Williams of Greene, Dargan, Phelps and Wheeler—35.

On motion of Mr. Webb, of Rutherford, it was

Ordered, That a message be sent to the Senate, proposing to vote for Judge of the the 7th Judicial Circuit to day at half past one o'clock.

Mr. Avery, Chairman, in behalf of the Committee on Internal Improvements, reported back to the House, a bill to incorporate the Western and Wadesboro' Plank Road company, with amendment, and recommended that the amendment be adopted, and the bill passed.

Whereupon the bill was read the third time and the amendment adopted—Yeas 56, nays 15.

Mr. Reid, of Rockingham, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messr. Albertson, Alford, Amis, Black, Blow, Bynum of Chatham, Caldwell of Guilford, Cherry, Chesnut, Collins, Corbett, Daniel, Dargan Dobbin, Durham, Ellis, Furr, Gwynn, Godwin, Harris of Davidson, Hill of Duplin, Holman, Jarvis, Johnson, Lander, Leach, Long of Caswell, Long of Randolph, Lyon of Granville, Lyon of Orange, Martin, Miller, Munday, McDugald, Norfleet, Phelps, Phillips, Puryear, Rives, Spruill, Strange, Stubbs, Sutton, Thornburg, Tolson, Trexler, Tripp, Turner of Orange, Walton, Webb, Wheeler, Whitehurst, Williams of Greene and Williams of Warren—56.

Those who voted in the negative, are :

Messrs. Avery, Burton, Calloway, Carmichael, Cook, Dobson, Erwin, Fagg, Gwynn, Hill of Caswell, Marshall, Matthews, McNeill, Reid of Rockingham and Waugh—15.

The question then recurring—shall the bill pass? it was decided in the affirmative.

Mr. Avery, chairman, in behalf of the same committee, to whom so much of the Governor's Message, as relates to the North Carolina Railroad, was referred, reported to the House,

A bill to amend an act, entitled an act to incorporate the North Carolina Railroad company, and recommended its passage.

Whereupon, the bill was read the first time and passed.

Mr. Avery, in behalf of the same committee, reported back to the House a bill to incorporate the Spartanburg and Rutherford Plank Road company, and recommended that it do pass.

Whereupon, the bill was read the second time and passed.

Mr. Avery, in behalf of the same committee, reported back to the House a bill for the vigorous prosecution of a judicious system of Internal Improvements, in the State of North Carolina, and recommended its passage.

Whereupon, the bill was read the second time and rejected.

Mr. Saunders, of Wake, leave being granted, introduced a bill to appoint an Agent of internal improvements, in behalf of the State; which was read the first time and passed.

Leave of absence was granted to Messrs. Shimpock, Lyon of Orange, Harris of Cabarrus, Furr, Adams, Williams of Warren and Perkins.

A message was received from the Senate, transmitting an engrossed bill from the House, to amend an act, entitled an act to incorporate the Raleigh and Gaston Railroad company, with amendment, and asking the concurrence of the House in the same.

Whereupon, the amendment was read and concurred in,

The House took a recess.

AFTERNOON SESSION.

A bill to provide for making entries to the agent for collecting Cherokee Bonds, by entry takers of Macon, Hay-

wood and Cherokee, was taken up, read the second and third times, and ordered to be engrossed.

Mr. Avery, chairman, in behalf of the same committee on Internal Improvements, reported back to the House a bill to incorporate Roanoke Ferry and Turnpike company, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Avery, chairman, in behalf of the same committee, reported back to the House a bill to amend the 6th section of an act, entitled an act to charter the Wilmington and Manchester Railroad company, and recommended that it do not pass.

Whereupon, the bill was read the second time and rejected.

Mr. Avery, in behalf of the same committee, reported back to the House a bill to lay off and establish a road over the Blue Ridge Gap, and recommended its passage.

Whereupon, the bill was read the second time and rejected.

Mr. Avery, in behalf of the same committee, reported back to the House a bill appointing Commissioners to lay off a road from Salisbury to the Virginia public road, at the mouth of Wilson.

Which was laid on the table.

Mr. Leach, of Davidson, from the same committee, reported back to the House a bill to incorporate the Atlantic,

Tennessee and Ohio Railroad company, and recommended that it do not pass.

Whereupon, on motion, the bill was laid on the table.

Mr. Norfleet, of Edgecombe, on behalf of the Judiciary Committee, reported back to the House a bill to repeal an act passed at the General Assembly, in the year 1811, entitled an act to alter the mode of holding elections in the county of Edgecombe, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. McDugald, of Bladen, from the same committee, reported back to the House a bill prescribing how persons shall be prosecuted for keeping insufficient fences, and a bill to amend the 35th chapter of the Revised Statutes, entitled an act for the better security of personal liberty, and recommended their passage.

Whereupon, they were read the second time and passed.

Mr. McDugald, from the same committee, reported back to the House a bill in relation to wills and testaments, and a bill authorizing a majority of acting Justices of Macon, to establish jury trials in the County Court of said county, and recommended their passage.

Whereupon, they were read the second and third times, passed and ordered to be engrossed.

Mr. McDugald reported from the same committee a bill concerning the place of trial for civil process, returnable before Justices of the Peace.

Whereupon, the bill was read the second time.

Mr. Leach, of Davidson, moved the following amendment, which was adopted :

After the word *reside*, in the 9th line, insert, "and in case no Justices of the Peace should reside in said District, then said process shall be returned before some Justice, in an adjoining District."

Mr. Dobson moved to amend, by inserting after the words "or one of them shall reside," the words, "or in which the plaintiff resides."

Mr. Munday, of Macon, moved to except the county of Macon from the operation of the bill; which amendment was rejected."

The question recurring on the passage of the bill its second reading, it was decided in the affirmative, and the rule being suspended, the bill was read the third time, and, on motion, laid on the table

Mr. McDugald, from the same committee, reported back to the House a bill to amend the 39th chapter of the Revised Statutes, and recommended its rejection.

Whereupon, the bill was read the second time, and, on motion, laid on the table.

Mr. McDugald, from the same committee, reported back to the House a resolution in favor of R. O. Britton, and a resolution directing the Judiciary Committee to enquire into the expediency of amending the law, which requires owners of slaves hired out to list the same, and asked to be discharged from its further consideration,

Which was concurred in.

Mr. Caldwell, chairman, in behalf of the committee on Corporations, reported back to the House the following bills, and recommended their passage :

Whereupon, they were severally read the second time and passed:

A bill to incorporate the Tarboro' and Rocky Mount Plank Road company ;

A bill to amend an act, entitled an act to incorporate the town of Charlotte, in the county of Mecklenburg ;

A bill to incorporate the Phoenix Gold Mining company ;

A bill to incorporate the Robeson and Richmond Plank Road company.

Mr. Caldwell, on behalf of the same committee, reported back to the House a bill authorizing Dr. N. M. Powell, and others, to erect a toll bridge at or near Buffalo Shoals, between Catawba and Iredell counties, with an amendment, and recommended its passage.

Whereupon, the bill was read the second time, amended and passed.

A bill to appoint Commissioners to lay off a public road through the counties of Burke and Caldwell, was introduced, read the first time and passed.

The House took a recess.

EVENING SESSION.

Mr. Caldwell, from the Committee on Corporations, reported back to the House a bill to incorporate the Wilmington Fire Insurance company : and

A bill to incorporate the Kinston and Iron Hill Plank Road company, and recommended their passage.

Whereupon, they were read the second time and passed.

Mr. Caldwell, of Guilford, from the Committee on Corporations, reported back to the House a bill for the incorporation of the Wilmington Mutual Insurance company, and recommended that it do not pass.

Whereupon, it was, on motion, laid on the table.

Mr. Collins, chairman, in behalf of the committee on Private Bills, reported back to the House a bill to amend the several acts heretofore passed, and which are in force for the incorporation and government of the town of Tarborough, and to authorize and empower the Commissioners of the said town, to lay off a portion of the Common of said town into lots, and sell the same ;

A bill to provide for the cleaning out Cypress Creek, in the county of Duplin; and recommended their passage.

Whereupon, they were read the second time and passed.

Mr. Collins, chairman, from the Committee on Private Bills, reported back to the House " A bill to incorporate the Colly Navigation Company," and recommended that it do not pass.

Whereupon, the bill was read the second time

Mr. McDugald moved to amend the bill by striking out the 28th section.

Which motion was carried.

Mr. McDugald also moved an amendment marked "A," as an addition to the bill ;

Which was adopted.

The question recurring, Shall the bill pass its second reading ?

It was decided in the affirmative.

Mr. Collins, on behalf of same committee, reported back to the House "A bill to authorise E. C. Bunstall, late Sheriff of Ashe connty, to collect arrears of taxes due him," and a "Resolution in favor of James M. Lewis," and recommended that they do not pass.

Whereupon, they were read the second time and laid upon the table.

Mr. Collins, from the same committee, reported back to the House "A resolution in favor of J. B. Debnam," and recommended that it do not pass.

Whereupon the resolution was read the second time and laid upon the table.

Mr. Collins, from the same committee, reported back to the House "A memorial in favor of Larkin Ray," and asked to be discharged from its further consideration.

Which report was concurred in.

A resolution in favor of George Little, reported from the Committee on Claims, was read the second and third times, passed, and ordered to be engrossed.

Mr. Turner, from the Select Committee to whom was referred "A bill to qualify every man of good character and good mind to serve as a juror, without reference to a freehold qualification," reported the same back to the House, and recommended its passage.

Whereupon the bill was read the second time and passed; and, the rule being suspended, it was read the third time and passed, and ordered to be engrossed.

On the second reading of the bill, Mr. Mills, of Rutherford, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Albertson, Allen, Amis, Black, Burton, Bynum of Chatham, Byrd, Caldwell of Guilford, Carraichael, Cherry, Chesnut, Cook, Corbett, Dobbin, Dobson, Dortch, Erwin, Eure, Furr, Gaither, George, Godwin, Gwynn, Harris of Davidson, Hill of Duplin, Holemian, Jarvis, Johnson, Lander, Long of Randolph, Lowry, Love, Lyon of Granville, Martin, Matthews, Miller, Mills, Mooring, McDugald, McNeill, Pegram, Phillips, Puryear, Reid of Duplin, Reid of Rockingham, Rives, Sanders of Johnston, Sauls, Scales, Spruill, Styles, Strange, Stubbs, Sutton, Thornburg, Tolson, Trexler, Tripp, Turner of Orange, Walton, Waugh, Wheeler, Williams of Warren and Williams of Greene—66.

Those who voted in the negative, are:

Messrs. Daniel, Hawkins, Hill of Caswell, Long of Caswell, Mills, Norfleet, Perry, Perkins, Phelps and Smith—10.

The following bills were read the second time and passed; and, the rule being suspended, they were read the third time, passed, and ordered to be engrossed:

A bill to lay off the State into Electoral Districts for the election of President and Vice President of the United States ;

A resolution in favor of David A. Ray & Co. ;

A bill to amend an act to emancipate Lucy and her child Laura, passed at the session of 1850-'51 ;

A bill to amend an act passed at the session of 1848-'49, concerning the militia.

Mr. Webb, from the Committee on revising or abolishing the Militia Laws, reported to the House a bill for the better regulation of the Militia of North Carolina ;

Which was read the second time, and laid on the table.

Mr. Webb, from the same committee, reported back to the House a petition of citizens of Wilkes county, praying a repeal of the act of the General Assembly exempting persons under 35 from militia duty ; and a petition from sundry citizens of the 78th Regiment, of Rutherford county, praying the revision or repeal of the Militia Laws of the State ; and asked to be discharged from the further consideration thereof.

Which report was concurred in, and the committee discharged.

The following bills were severally read the second time and passed :

A bill to amend the 15th section of the 31st chapter of the Revised Statutes, so as to authorise the Superior Courts of Law and Equity to be held for two weeks, at the Spring and Fall Terms thereof, in the county of New Hanover ;

A bill to amend an act entitled an act to incorporate the Rich Mountain Turnpike company ;

A bill to incorporate the town of Kenansville ;

A bill to amend an act entitled an act to provide for the re-assessment of the lands of the State, and more accurate establishment of the taxable polls.

On motion of Mr. Martin, of Franklin,

Resolved, That the 31st Rule of the House, requiring that no bill, petition, memorial, or other paper that may be introduced, shall be taken out of the possession of the House, or sent to the Senate, until the time for reconsideration shall have elapsed, be suspended for the present session.

A bill for calling a Convention to amend the constitution of North Carolina was read the second time, and, on motion, laid on the table, yeas 38, nays 26.

Those who voted in the affirmative, are :

Messrs. Albertson, Avery, Black, Blow, Bynum of Chatham, Cherry, Chesnutt, Corbett, Daniel, Dobbin, Dobson, Eure, George, Godwin, Hill of Caswell, Holeman, Jarvis, Lander, Long of Caswell, Lyon of Granville, Martin, Norfleet, Pegram, Perry, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Sauls, Scales, Sherrill, Smith, Spruill, Strange, Sutton, Waugh, Wheeler and Williams of Warren—38.

Those who voted in the negative, are :

Messrs. Adams, Amis, Byrd, Carmichael, Cook, Cotten, Erwin, Gaither, Harris of Davidson, Johnson, Long of Randolph, Lowry, Love, Matthews, Miller, McDugald, Phillips, Puryear, Styles, Thornburg, Tolson, Trexler, Tripp, Turner of Orange, Webb and Williams of Green—26.

On motion, the House adjourned.

FRIDAY, DECEMBER 24, 1852.

The Clerk called the House to order, and announced that the first business in order would be the election of a Speaker.

Messrs. Dobbin and Long, of Randolph, were appointed to superintend the election.

The House proceeded to vote, with the following result :

FOR MR. BAXTER.

Messrs. Adams, Albertson, Alford, Amis, Bluw, Bynum of Chatham, Byrd, Caldwell of Guilford, Calloway, Collins, Carmichael, Cherry, Cook, Cotten, Daniel, Dargan, Erwin, Eure, Fagg, Godwin, Gwynn, Harris of Davidson, Holeman, Johnson, Long of Randolph, Lowry, Love, Matthews, Miller, Mundayt McDugald, McIntyre, Perry, Phillips, Puryear, Sanders of Johnson, Saunders of Wake, Spruill, Styles, Stubbs, Teague, Thornburgh, Tolson, Trexler, Tripp, Turner, of Orange, Webb, Whitehurst, Williams, of Greene and Marshall—51.

FOR MR. AVERY.

Messrs. Allen, Black, Bryant, Burton, Chesnutt, Curbett, Dobbin, Dobson, Dortch, Ellis, Foreman, George, Hawkins, Hill of Caswell, Hill of Duplin, Jarvis, Long of Caswell, Mills, Mooring, Norfleet, Pegram, Reid of Duplin, Reid of Rockingham, Rives, Sauls, Scales, Sherrill, Strange, Sutton, Walton, Waugh, and Wheeler—32.

FOR MR. PHILLIPS.

Messrs. Lyon of Granville, Martin,—2.

The following communication was presented to the House by the Speaker :

December 24, 1852.

HON. JOHN BAXTER,

Speaker House of Commons :

SIR—I have been requested by the President and Directors of the Wilmington and Raleigh Railroad Company to extend an invitation to the members of the House of Commons to pass, free of charge, on their route home, over the Wilmington and Raleigh Railroad, and through to Charleston.

Very respectfully,

ROBERT STRANGE, Jr.

On motion of Mr. Saunders, of Wake,

Resolved, That John F. Lyon, one of the members for the county of Orange, who was detained at the commencement of the session, by a severe misfortune, be allowed his per diem for the entire session.

On motion of Mr. Ellis, of Edgecomb, the bill to establish a new county by the name of Wilson, was taken from the table—Yeas 40, nays 36.

Mr. Ellis, of Edgecombe, demanded the yeas and nays

Those who voted in the affirmative, are :

Messrs. Adams, Albertson, Allen, Avery, Black, Blow, Burton, Byrd, Callaway, Carmichael, Cherry, Cook, Daniel, Dobson, Dortch, Ellis, Erwin, Eure, Fagg, Godwin, Gwynn, Holeman, Johnson, Love, Matthews, McIntyre, Perry, Phillips, Puryear, Sanders of Johnson, Sauls, Smith, Teague, Tolson, Tapp, Webb, Wheeler, Whitehurst and Williams of Green—40.

Those who voted in the negative, are :

Messrs. Amis, Bryant, Bynum of Chatham, Caldwell of Guilford, Chestnut, Corbett, Dargan, George, Harris of Davidson, Hawkins, Hill of Caswell, Long of Randolph, Lyon of Granville, Lyon of Orange, Martin, Marshall, Miller, Mooring, Munday, McDugald, Norfleet, Pegram, Perkins, Reid of Rockingham, Scales, Sherrill, Spruill, Strange, Thornburg, Trexler, Turner of Orange, Walton, Waugh, Hill of Duplin, Jarvis, and Long of Caswell—36.

The question pending being on the amendment of Mr. Bryant, of Nash,

On motion of Martin, of Franklin, the bill was indefinitely postponed—Yeas 39, nays 37.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Alford, Amis, Bryant, Bynum of Chatham, Byrd, Caldwell of Guilford, Chesnutt, Corbett, Dargan, Dobbin, George, Harris of Davidson, Hawkins, Hill of Caswell, Hill of Duplin, Holeman, Lander, Long of Caswell, Lowry, Lyon of Orange, Martin, Marshall, Matthews, Mooring, McDugald, Norfleet, Pegram, Perry, Perkins, Reid of Rockingham, Scales, Sherrill, Smith, Spruill, Thornburgh, Trexler, Waugh and Webb—39.

Those who voted in the negative, are :

Messrs. Adams, Allen, Avery, Black, Blow, Burton, Calloway, Carmichael, Cherry, Collins, Cook, Daniel, Dobson, Dortch, Ellis, Erwin, Eure, Fagg, Foreman, Godwin, Gwynn, Johnson, Love, Lyon of Granville, Mills, Munday, Phelps, Puryear, Sanders of Johnson, Sauls, Styles, Stubbs, Teague, Tolson, Tripp, Turner of Orange, Whitehurst, and Williams of Greene—37.

Mr. Wheeler, Chairman, in behalf of the Committee on Claims, to whom was referred the certificate of the County Court of Wayne, in favor of Bryan Evans and John Evans, reported adversely to the claim, and begged leave to be discharged from its further consideration.

Which report was concurred in.

Mr. Puryear, chairman, in behalf of the Committee on Propositions and Grievances, reported back to the House a bill to emancipate Rachel, a slave, and recommended that it do not pass.

Whereupon, the bill was read the second time and indefinitely postponed.

Mr. Puryear, in behalf of the same committee, reported back to the House a bill to repair the road from the town of

Dobson, in the county of Surry, to the Virginia line, by way of Fisher's Gap, and recommended that it do not pass.

Whereupon, the bill was read the second time, and the proposition laid on the table.

Mr. Puryear, in behalf of the same committee, reported back to the House a bill to prohibit free persons of color from peddling in the county of Jones, with an amendment, and recommended that it be amended and passed.

Whereupon, the bill was read the second time and passed.

A resolution in favor of E. S. Moore was read the second time, and, on motion, laid on the table.

A message was received from the Senate, proposing to vote for a Judge of the third Judicial District to-morrow at 11 o'clock.

Which was read and disagreed to.

A message was received from the Senate, proposing to raise a joint select committee of two on the part of each House, to select the district for which the Judge should be elected.

Which was concurred in.

The House branch of the committee consists of Messrs. Spruill and Wheeler.

The House took a recess.

AFTERNOON SESSION.

A message was received from the Senate, informing the House that Messrs. Cunningham and Albright form the Senate branch of the committee, for selecting a Judicial District.

A bill to amend section 12, chapter 104, Revised Statutes, entitled an act concerning the public roads and fences and bridges in this State, was read the second time and passed, and was read the third time, and, on motion, rejected.

Mr. Martin, of Franklin, moved to strike out section and demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Allen, Black, Blow, Bryant, Bynum of Chatham, Chesnutt, Corbett, Dortch, Ellis, Eure, Foreman, George, Godwin, Hawkins, Hill of Caswell, Hill of Duplin, Lander, Long of Caswell, Lyon of Granville, Lyon of Orange, Martin, Mills, Mooring, McDugald, Norfleet, Pegram, Perry, Phelps, Reid of Rockingham, Sanders of Johnson, Sauls, Scales, Sherrill, Thornburg, Tolson, Webb, Wheeler, Williams of Greene, Albertson and Matthews—39.

Those who voted in the negative, are :

Messrs. Adams, Alford, Amis, Avery, Burton, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Christmas, Collins, Cook, Cotten, Daniel, Dobson, Erwin, Fagg, Gwynn, Holeman, Johnson, Lowry, Love, Marshall, Miller, Munday, McIntyre, Perkins, Puryear, Saunders of Wake, Smith, Spruill, Styles, Stubbs, Sutton, Tripp, Turner of Orange, Walton, Waugh and Whitehurst—42.

Mr. Spruill, from the committee to select a District for which a Judge should be elected, reported that the commit-

tee, not being able to agree, had placed the members of the District to be supplied in a hat and drew one of them out, and the choice fell upon the third District.

The question being, shall the report of the committee be adopted?

It was decided in the negative—Yeas 30, nays 36.

Mr. Carmichael, of Wilkes, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Allen, Avery, Burton, Chesnutt, Corbett, Dobson, Dortch, Ellis, Foreman, George, Godwin, Hawkins, Hill of Caswell, Hill of Duplin, Holman, Jarvis, Long of Caswell, Lyon of Granville, Martin, Norfleet, Pegram, Phelps, Reid of Rockingham, Sauls, Sherrill, Sutton, Walton and Waugh—30.

Those who voted in the negative are :

Messrs. Adams, Alford, Amis, Blow, Bynum of Chatham, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Collins, Daniel, Dargan, Erwin, Eure, Fagg, George, Long of Randolph, Lowry, Love, Matthews, Miller, Mills, Munday, McDugald, McIntyre, Perry, Puryear, Styles, Stubbs, Thornburg, Tolson, Trexler, Webb, Whitehurst and Williams of Greene—36.

The House took a recess.

EVENING SESSION.

The following engrossed bills from the Senate were each read the second and third time, passed and ordered to be enrolled :

A bill to incorporate the Bladen Steamboat company ;

A bill for the government of Elizabeth city, in the county of Pasquotank ;

A bill to provide for the improvement of the public road from Reddie's river, to the Tennessee line ;

A resolution in favor of Joseph R. Anderson, of Richmond, Virginia.

The following Senate bills were read the second and third times, amended, passed, and ordered to be sent to the Senate for concurrence :

A bill to appoint commissioners to locate the town of Marshall ;

A bill to give the Courts of Pleas and Quarter Sessions of the counties of Randolph and Granville, jurisdiction over the sale of real estate for division purposes, joint tenants, and tenants in common ;

A bill to amend the charter of the Asheville and Greenville Plank Road company.

A bill to amend several acts of the General Assembly in relation to the Deaf, Dumb and Blind, was read the first, second and third times, passed, and ordered to be enrolled.

The following engrossed bills from the Senate were read the first time and passed :

A bill to incorporate the Upper Little River Navigation Company, in the county of Cumberland ;

A resolution in favor of P. F. Pescud ;

A bill to lay off and establish a public road from Lincolnton to Greenville, South Carolina ;

A bill regulating the fisheries in the Eastern part of the State.

The following bills were severally read the third time, passed, and ordered to be enrolled :

A bill to incorporate the Kinston and Snow Hill Plank Road company ;

A bill to incorporate the Tarboro' and Rocky Mount Plank Road company ;

A bill to incorporate the Phœnix Gold Mining company ;

A bill to incorporate the Winston and Wilkesboro' Plank Road company ;

A bill to incorporate the Spartansburg and Rutherford Plank Road company ;

A bill to incorporate into one the several acts heretofore passed, and which are now in force, for the incorporation of the town of Tarboro', and to authorise and empower the commissioners of said town to lay off a portion of the common of said town into lots, and sell the same ;

A bill to provide for the clearing out Cypress Creek, in the county of Duplin ;

A bill to incorporate the Wilmington Fire Insurance company ;

A bill to incorporate the Robeson and Richmond Plank Road company ;

A bill to incorporate the Roanoke Ferry and Turnpike Company ;

A bill to authorise Dr. A. M. Powell and others to erect a Bridge at or near Buffaloe Shoals, between Catawba and Iredell counties ;

A bill to amend the 53d chapter of the Revised Statutes, entitled an act for the better security of personal liberty ;

A bill to repeal an act passed at the session of the General Assembly held in the year 1811, entitled an act to alter the mode of holding elections in the county of Edgecombe ;

A bill to amend an act entitled an act to incorporate the North Carolina Railroad company ;

A bill to amend an act entitled an act to incorporate the town of Charlotte, in the county of Mecklenburg ;

A bill prescribing how persons shall be prosecuted for keeping insufficient fences ;

A bill to provide for a re-assessment of the real estate within the corporate limits of the town of Rockford, in the county of Surry ;

A bill to amend an act to incorporate the Rich Mountain Turnpike company, in the county of Haywood.

A message was received from the Senate, proposing to vote for a Judge for the 3d Judicial circuit to-morrow at 11 o'clock.

Mr. Webb, of Rutherford, moved to lay the message on the table.

Mr. Reid, of Rockingham, demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Alford, Albertson, Amis, Bynum of Chatham, Caldwell of Guilford, Carmichael, Cook, Daniel, Dargan, Erwin, Eure, Fagg, Johnson, Lowry, Love, Matthews, Miller, Mills, Munday, McDugald, McIntyre, Perry, Puryear, Sp uill, Styles, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Webb and Whitehurst—34.

Those who voted in the negative, are :

Messrs. Avery, Black, Byrd, Chesnut, Collins, Cotten, Corbett, Dobbin, Dortch, Ellis, George, Godwin, Hawkins, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Long of Caswell, Long of Randolph, Lyon of Granville, Martin, Norfleet, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Saunders of Wake, Sauls, Scales, Sherril, Smith, Sutton, Turner of Orange, Walton, Waugh, Wheeler, Williams of Greene and Allen—40.

So the House refused to lay the message on the table.

The question recurring—shall the message be concurred in.

It was decided in the negative—Yeas 37, nays 39.

Mr. Webb, of Rutherford, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Allen, Avery, Black, Chesnut, Walton, Cotten, Corbett, Dobbin, Dobson, Dortch, George, Godwin, Hawkins, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Long of Caswell, Lyon of Granville, Martin, Marshall, Norfleet, Pegram, Perkins, Phelps, Reid of Duplin, Reid of Rockingham, Saunders of Wake, Sauls, Scales, Sherrill, Smith, Strange, Sutton, Turner of Orange, Waugh and Wheeler—37.

Those who voted in the negative, are :

Messrs. Adams, Albertson, Alford, Amis, Bynum of Chatham, Caldwell of Guilford, Carmichael, Cherry, Collins, Cook, Daniel, Dargan, Erwin, Eure, Fagg, Harris of Davidson, Johnson, Long of Randolph, Lowry, Love, Matthews, Miller, Mills, Munday, McDugald, McIntyre, Perry, Puryear, Spruill, Styles, Stubbs, Teague, Thornburg, Tolson, Trexler, Tripp, Webb, Whitehurst, and Williams of Greene—39.

The following bills were severally read the second and third times, passed and ordered to be enrolled:

A bill to amend an act entitled an act to incorporate the Wilmington and Manchester Railroad company ;

A resolution in favor of Jesse Cole, of Cherokee county ;

A bill to amend an act entitled an act to incorporate the Johnson Little River Manufacturing company ;

A resolution in favor of J. A. Pool, late sheriff of Pasquotank county ;

A bill to amend an act passed at the session of the Generally Assembly of the State of North Carolina, held in the year 1848-'49, entitled an act to amend an act, passed at the session of the Legislature of 1846-'47, entitled an act, authorizing the Governor to establish a depot of arms at Newburn, and to validate the payments heretofore made by the Public Treasurer, to the keeper of said depot ;

A bill to incorporate the Chapel Hill and Raleigh Plank Road company ;

A bill to amend an act entitled an act to amend an act incorporating the Wilmington and Raleigh Railroad company ;

A bill to amend an act passed at the session of 1850-'51, entitled an act to amend an act for the incorporation of the town of Washington ;

A bill concerning elections in Beaufort county ;

A bill directing the dividends on the stock of the State in the Wilmington and Manchester Railroad company to be paid into the Treasury as part of the Literary Fund ;

A bill to amend an act entitled an act to amend an act passed in the year 1818, chap 42, entitled an act to elect a magistrate for the town of Wilmington and other purposes ;

A bill to amend an act entitled an act to provide for a reassessment of the land of this State and a more accurate establishment of the taxable polls ;

A bill to incorporate the town of Kennsville ;

A resolution in favor of Matthew W. Ransom ;

A resolution as to furnishing Jackson county with weights and measures ;

A bill to incorporate the Hawfield Volunteer regiment in the county of Orange ;

A bill explanatory of an act passed at the session of 1838-39.

Mr. Dortch, of Wayne, moved that the house adjourn,

On which motion, the yeas and nays were demanded.

Those who voted in the affirmative, are :

Messrs. Caldwell of Guilford, Carmichael, Daniel, Dargan, Dortch, Godwin, Harris of Davidson, Lowry, Munday, Teague, Walton and Adams—12.

Those who voted in the negative, are :

Messrs. Albertson, Alford, Amis, Allen, Avery, Black, Blow, Bynum of Chatham, Byrd, Cherry, Chesnutt, Cook, Corbett, Dobbin, Dobson, Erwin, Eure, George, Hawkins, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Johnson, Lander, Long of Caswell, Long of Randolph, Love, Lyon of Granville, Martin, Marshall, Matthews, Miller, Mills, McDugald McIntyre, Norfleet, Pegram, Perry, Phelps, Puryear, Reid of Duplin, Reid of Rockingham, Saunders of Wake, Sauls, Scales, Sherrill, Smith, Sproill, Styles, Strange, Stubbs, Sutton, Thornburg, Tolson, Trexler, Tripp, Turner of Orange, Waugh, Webb, Wheeler, and Williams of Greene—62.

A bill to enlarge the powers of the Commissioners of the town of Fayetteville was read the second time, amended by striking out all but the enacting clause, and adopting a substitute, and passed and ordered to be engrossed.

A bill concerning the Superior Court of New Hanover county was read the third time and passed.

On motion of Mr. Dobbin, the vote by which the bill passed its third reading was reconsidered.

Mr. Strange, of New Hanover, moved an amendment to the bill, which was adopted, and the question again recurring—shall the bill pass?

It was decided in the affirmative.

A message was received from the Senate, transmitting a bill on jury trials in the County Court of Columbus, with an amendment, asking concurrence therein.

The amendment was read and adopted.

A message was received from the Senate, transmitting a bill to lay off the State into fifty Senatorial Districts,

Which was, on motion, laid on the table.

Mr. Cherry, of Bertie, moved that the House do now adjourn.

Mr. McDugald, of Bladen, demanded the yeas and nays

Those who voted in the affirmative, are :

Messrs. Albertson, Alford, Avery, Black, Byrd, Cherry, Dargan, Dortch, Erwin, Godwin, Jarvis, Lowry, Perkins, Spruill, Styles, Teague, Trexler, Turner of Orange, Wallon and Williams of Greenea—20.

Those who voted in the negative are :

Messrs. Allen, Amis, Bynum of Chatbam, Caldwell of Guilford, Carmichael, Chesnut, Daniel, Dobbin, Dobson, Eure, George, Harris of Davidson, Hawkins, Hill of Caswell, Hill of Duplin, Holeman, Johnson, Lander, Long of Caswell, Long of Randolph, Love, Lyon of Granville, Martin, Marshall, Matthews, Miller, Mills, McDugald, McIntyre, Norfleet, Pegram, Perry, Phelps, Puryear, Reid of Duplin, Reid of Rockingham, Scales, Sherrill, Strange, Stubbs, Sutton, Thornburg, Tolson, Tripp, Waugh, Webb, Corbett and Wheeler—49.

Mr. Avery, of Burke, introduced a bill to amend an act entitled an act, to amend an act, entitled an act to incorpo

rate the McDowell and Yancy Turnpike company ; which was read the first time and passed.

Mr. Avery introduced a bill to amend an act, entitled a act concerning Rutherford, passed at the session of 1850-51 ; which was read the first time and passed.

A bill for a public road through Burke and Caldwell was read the second time and passed, and being read the third time, it was, on motion, laid on the table.

The following bills were read the second time, and, on motion, laid on the table :

A bill to regulate the fees of Constables in certain cases ;

A bill relating to the Capitol and the Square ;

An engrossed bill to authorize Ambrost Calderon, John Poe and others, to establish toll bridge over New River, in the county of Ashe.

A bill appointing Commissioners to lay off a public road from Salisbury to the Virginia public road, at the mouth of Wilson, was read the second and third times, and ordered to be engrossed.

SATURDAY, Dec. 25, 1852.

A message was received from the Senate, proposing that so much of the joint rules of the two Houses, as relates to

the enrolments of bills, be so altered as to allow their being sent from one House to the other, without their being engrossed, provided there be no amendment, and they are written in a plain legible manner, and free from grammatical error, and that engrossed bills be considered as enrolled bills.

On motion of Mr. Martin, of Franklin,

Resolved, That, the Senate concurring, that all engrossed bills for the incorporation of companies, which may have been passed by the houses of the General Assembly, and passed upon by the committee on enrolled bills, shall be signed as enrolled bills, and ratified accordingly.

A message was received from the Senate, proposing to vote for a Judge of the third Judicial Circuit, to day at 11 o'clock.

Mr. Erwin, of Burke and McDowell, moved to lay the motion on the table, and demanded the yeas and nays.

Those who voted in the affirmatives are :

Messrs. Albertson, Alford, Amis, Black, Calloway, Carmichael, Cherry, Cook, Erwin, Gwynn, Lowry, Love, Mills, McDugaid, McIntyre, Puryear, Tolson and Webb—18.

Those who voted in the negative are :

Messrs. Avery, Blow, Burton, Bynum of Chatham, Caldwell of Guilford, Chesnutt, Cotten, Corbett, Daniel, Dobson, Dortch, Ellis, Eure, Fagg, George, Godwin, Hawkins, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Johnson Lander, Long of Caswell, Long of Randolph, Lyon of Granville, Martin, Marshall, Matthews, Miller, Mooring, Munday, Norfleet, Pegram, Perry, Phelps, Reid of Duplin, Reid of Rockingham, Saunders of Wake, Scales, Sherrill, Strange, Sutton, Thornburg, Turner of Orange, Walton, Waugh, Wheeler, Williams of Greene and Allen—51.

So the House refused to lay on the table, and the question recurring on the proposition of the Senate, it was concurred in.

The following resolutions were severally read the first, second and third times, passed and ordered to be engrossed:

A resolution in favor of an extran allowance to the principal Clerks;

A resolution providing for furnishing a set of standard weights to the county of Alexander;

A resolution providing for furnishing a set of standard weights, to the county of Madison;

A resolution in favor of W. L. Pomeroy

The following bills were read the second and third times, passed and ordered to be engrossed.

A bill authorizing the Richmond and Danville Railroad company to establish a depot in the town of Milton;

A bill to amend an act, entitled an act concerning Rutherford, passed at the session of 1850-'51;

A bill to amend an act, entitled an act, to amend an act, entitled an act to incorporate the McDowell and Yancy Turnpike company;

A bill to appoint an agent of Internal Improvements, in behalf of the State.

A bill to alter and amend an act, entitled an act to incorporate the Salisbury and Taylorsville Plank Road company, was read the third time, amended, by striking out the third section, and ordered to be engrossed.

A message received from the Senate; transmitting a bill to divide the State of North Carolina into Congressional Districts, was read, and the bill read the first time and passed.

A message was received from the Senate, informing the House that Messrs. Person and Albritton form the Senate branch of the committee, to superintend the election of U. States Senator.

Committee on the part of the House—Messrs. Daniel and Moorin.

In pursuance of the joint order, the hour having arrived, the House proceeded to vote for a Judge of the 3rd Judicial Circuit, with the following result:

FOR MR. SANDERS.

Messrs. Black, Bynum of Chatham, Cook, Cotten, Corbett, Dobson, Hawkins, Lander, Long of Caswell, Love, Lyon of Granville, Mills, Munday, Pegram, Scales, Sutton, Walton, Waugh, Wheeler, Whitehurst, Foreman and Ellis—22,

FOR MR. BARNES.

Messrs. Speaker, Albertson, Alford, Caldwell of Guilford, Colloway, Carnichael, Cherry, Daniel, Erwin, Eure, Fagg, Gwynn, Harris of Davidson, Holeman, Johnson, Long of Randolph, Lowry, Matthews, Miller, McDugald, McIntyre, Perry, Puryear, Spruill, Styles, Stubbs, Thornburg, Trexler, Tripp, Turner of Orange, Webb and Williams of Greene.

FOR MR. BIGGS.

Messrs. Avery, Blow, Burton, Chesnutt, Corbett, Dobbin, Dortch, George, Hill of Caswell, Jarvis, Martin, Marshall, Mooring, Phelps, Reid of Duplin, Reid of Rockingham, Sauls and Strange—19.

FOR MR. WHITAKER.

Mr. Norfleet—1,

FOR MR. BUSBEE.

Mr. Hill of Duplin—1.

The bill to divide the State into Congressional Districts, were taken up and read the second time.

Mr. McIntyre, of Richmond, moved to put off the further consideration of the bill until Monday 10 o'clock.

Which motion was rejected—Yeas 14, nays 57.

Mr. McIntyre, demanded the yeas and nays.

Those who voted in the negative, are :

Messrs. Avery, Calloway, Carmichael, Erwin, George, Hill of Caswell, Long of Randolph, Marshall, Mills, McIntyre, Norfleet, Puryear, Teague and Waugh—14

Those who voted in the negative, are :

Messrs. Albertson, Alford, Allen, Amis, Blow, Burton, Bynum of Chatham, Caldwell of Guilford, Cherry, Chesnut, Cook, Cotten, Corbett, Daniel, Dobbin, Dobson, Dortch, Ellis, Eure, Fagg, Godwin, Gwynn, Harris of Davidson, Hawkins, Hill of Duplin, Holeman, Jarvis, Johnson, Lander, Long of Caswell, Lowry, Martin, Matthews, Miller, Mooring, Munday, McDugald, Perry, Phillips, Reid of Duplin, Reid of Rockingham, Saunders of Wake, Sauls, Scales, Sherrill, Stubbs, Sutton, Thornburgh, Tolson, Tripp, Turner of Orange, Walton, Webb, Wheeler, Whitehurst, and Williams of Greene—57.

Leave being granted, Mr. Daniel, from the committee to superintend the election of Judge for the 3d Judicial District, submitted the following report,

Which was concurred in :

That 117 votes were cast ;—that 59 were necessary for a choice ;—that Mr. Barnes received 43, Mr. Biggs 32, Mr. Saunders 27, Mr. Whitaker 10, Mr. Eaton 3, Mr. Busbee 1 ;—and that, as no one had received a majority of all the votes, there was no election.

A message was received from the Senate, proposing to go into an election for Judge of the 3d Judicial District forthwith ;

Which message was concurred in.

A message was received from the Senate informing the House that Messrs. Person and Albritton form the Senate branch of the committee to conduct the election.

Committee on the part of the House—Messrs. Cotten and Norfleet.

In pursuance of the joint order, the House proceeded to vote, with the following result :

FOR Mr. SAUNDERS.

Messrs. Speaker, Alford, Allen, Black, Bynum of Chatham, Byrd Caldwell of Guilford, Calloway, Cook, Cotten, Dobson, Ellis, Erwin, Fagg, Foreman, Gwynn, Harris of Davidson, Hawkins, Johnson, Lander, Long of Caswell, Long of Randolph, Lowry, Love, Lyon of Granville, Mills, Munday, McDugald, Perry, Puryear, Scales, Styles, Thornburg, Trexler, Walton, Waugh, Webb, Wheeler and Whitehurst—39.

FOR Mr. BIGGS.

Messrs. Albertson, Avery, Blow, Carmichael, Cherry, Chesnutt, Corbett, Daniel, Dortch, Dobbin, Eure, George, Godwin, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Martin, Marshall, Miller, Mooring, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Sauls, Strange, Stubbs, Sutton, Tolson, Tripp, and Williams of Greene.—32.

FOR Mr. EATON.

Mr. Turner.—1.

FOR Mr. WHITAKER.

Mr. Norfleet.—1.

FOR Mr. BARNES.

Mr. Spruill.—1.

The House resumed the consideration of the bill to divide the State into Congressional districts.

Mr. Avery, of Burke, moved the following amendment which was rejected, yeas 21, nays 51.

Strike out the word "Cleaveland," in the 7th District, and insert the word "Wilkes ;"

In the 8th District, strike out the word "Wilkes," and insert "Cleaveland."

Mr. Avery demanded the yeas and nays :

Those who voted in the affirmative, are :

Messrs. Avery, Byrd, Calloway, Dobbin, Dobson, George, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Long of Caswell, Long of Randolph, Love, Marshall, Mills, McIntyre, Norfleet, Phillips, Reid of Duplin, Reid of Rockingham, and Waugh.—21.

Those who voted in the negative are :

Messrs. Adams, Albertson, Alford, Allen, Amis, Black, Blow, Burton, Bynum of Chatham, Caldwell of Guilford, Carmichael, Cherry, Chesnut, Collins, Cook, Corbett, Daniel, Dorich, Ellis, Erwin, Eure, Fagg, Godwin, Gwynn, Harris of Davidson, Hawkins, Johnson, Lander, Lowry, Martin, Matthews, Miller, Munday, McDugald, Saunders of Wake, Sauls, Sherrill, Styles, Stubbs, Sutton, Teague, Thornburg, Tolson, Trexler, Tripp, Turner of Orange, Webb, Wheeler, Whitehurst, Walton and Williams of Greene—51.

Leave being granted, Mr Norfleet, from the committee to superintend the election of Judge of the 3d District, submitted the following report ;

Which was concurred in :

That 117 votes were cast ;—that 59 were necessary to a choice ;—that Mr. Saunders received 51, Mr. Biggs 52, Mr. Whitehurst 9, Mr. Eaton 4, Mr. Barnes 1 ;—and that, as

no one had a majority of all the votes, there was no election.

A message was received from the Senate, informing the House that Messrs. Jones, of Wake, and Cunningham will superintend the election of Judge of the 3d Judicial District, on the part of the Senate.

Committee on the part of the House, Messrs. Black and Stubbs.

In pursuance of the joint order, the House proceeded to vote, with the following result:

FOR MR. SAUNDERS.

Messrs. Speaker, Albertson, Alford, Allen, Amis, Black, Bynum of Chatham, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Cook, Cotten, Dobson, Ellis, Erwin, Eare, Fagg, Foreman, Godwin, Gwynn, Harris of Davidson, Hawkins, Holeman, Lander, Long of Caswell, Long of Randolph, Lowry, Love, Lyon of Granville, Matthews, Marshall, Miller, Mills, Munday, McDugald, McIntyre, Perry, Puryear, Spruill, Styles, Stubbs, Thornburg, Tolson, Trexler, Turner of Orange, Walton, Waugh, Webb, Wheeler, Johnson and Whitehurst—53.

FOR MR. BIGGS,

Messrs. Avery, Blow, Chesnutt, Corbett, Daniel, Dobbin, Dortch, George, Hill of Caswell, Hill of Duplin, Jarvis, Martin, Mooring, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Sauls, Strange, Stubbs, Tripp and Williams of Greene—22.

The House resumed the suspended business.

Mr. McIntyre moved to postpone the further consideration of the bill till 12 o'clock at night.

Which motion was rejected—Yeas 5, nays 65.

Mr. Cook, of Wilkes, demanded the yeas and nays.

Those who voted in the affirmative are :

Messrs. Avery, Erwin, Hill of Caswell, Long of Randolph and Puryear—5.

Those who voted in the negative, are :

Messrs. Albertson, Alford, Allen, Amis, Black, Blow, Bynum of Chat ham, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Chesnut, Cook, Cotten, Corbett, Daniel, Dobbin, Dortch, Ellis, Eure, Fagg, Foreman, George, Godwin, Gwynn, Harris of Davidson, Hawkins, Hill of Duplin, Holeman, Jarvis, Johnson, Lander, Long of Caswell, Lowry, Love, Lyon of Granville, Martin, Marshall, Matthews, Miller, Mills, Munday, McDugald, Norfleet, Perry, Phelps, Reid of Duplin, Reid of Rockingham, Sauls, Sherrill, Spruill, Stubbs, Sutton, Thornburg, Tolson, Trexler, Tripp, Turner of Orange, Walton, Waugh, Webb, Wheeler, Whitehurst and Williams of Greene—65.

Mr. McIntyre moved the following amendment, which was rejected :

Strike out Cleaveland from the 7th District, and insert Richmond and Montgomery ;

Strike out Rockingham from the 6th District, and insert Wilkes ;

Strike out Montgomery and Moore from the 5th District, and insert Rockingham ,

Strike out Richmond from the 3d District, and insert Moore.

The following amendment was offered and rejected :

Strike out Watauga from the 8th district, and insert in the 7th ;

Strike out Alexander from the 7th district ; and add it to the 8th.

Mr. Wanh, of Stokes, moved the following amendment, which was rejected :

Take Cabarrus from 7th, and add it to the sixth.

Leave being granted, Mr. Stubbs, from the committee to superintend the election of Judge, made the following report, which was concurred in :

That 118 votes were cast; that 60 were necessary for election; that Mr. Saunders received 72, Mr Biggs 45, Mr. Eaton 1; that as Mr. Saunders had received a majority of all the votes, he was duly elected.

The House resumed the consideration of the suspended business.

Mr. McIntyre moved to postpone till this afternoon at four o'clock, and demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Albertson, Avery, Calloway, Collins, Corbett, Erwin, Hill of Caswell, Long of Randolph, Marshall, Matthews, Miller, McIntyre, Norfleet, Perry, Puryear, Reid of Duplin, Reid of Rockingham, Stubbs, Tolson, Tripp, and Waugh—24.

Those who voted in the negative, are :

Messrs. Alford, Allen, Amis, Black, Blow, Burton, Bynum of Chatham, Byrd, Caldwell of Guilford, Carmichael, Cherry, Chesnutt, Cook, Daniel, Dobbin, Dobson, Dortch, Ellis, Eure, Fagg, George, Godwin, Gwynn, Harris of Davidson, Hawkins, Jarvis, Johnson, Lander, Lowry, Love, Lyon of Granville, Martin, McDugald, Phelps, Saunders of Wake, Sauls, Sherrill, Styles, Sutton, Thornburgh, Trexler, Turner of Orange, Walton, Webb, Wheeler, Whitehurst and Williams of Greene—47.

Mr. Waugh, of Stokes, moved an amendment, as a substitute for the bill,

Pending the question on which,

The House took a recess.

AFTERNOON SESSION.

The House resumed the consideration of the bill to divide the State into Congressional Districts—the question pending being the amendment offered by Mr. Waugh.

The amendment was rejected,

And the question recurring—shall the bill pass its second reading ?

It was decided in the affirmative,

On motion the rules were suspended, and the bill read the third time, passed and ordered to be enrolled.

A bill to establish a new county by the name of Ruffin was taken up and read the second time.

The House resolved itself into committee of the whole—Mr. Saunders, of Wake, in the chair.

The committee rose, and, through their chairman, reported the bill back to the House, and asked to be discharged from its further consideration.

The question then recurring shall the bill pass its second reading ?

It was decided in the negative—Yeas 37 nays 39.

Mr. Dortch demanded the yeas and nays.

Those who voted in the affirmative, are :

Messrs. Adams, Alford, Avery, Blow, Burton, Bynum of Chatham, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Cook, Dargan, Erwin, Fagg Gwynn, Harris of Davidson, Johnson, Lander, Lowry, Love, Miller, Munday, Puryear, Sherrill, Spruill, Styles, Sutton, Teague, Tolson, Trexler, Turner of Orange, Walton, Wheeler, and Whitehurst—37.

Those who voted in the negative, are :

Messrs. Albertson, Allen, Amis, Barrett, Bryant, Chesnutt, Corbett, Daniel, Dobbin, Dobson, Dortch, Ells, Eure, Godwin, Hawkins, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Long of Caswell, Lyon of Granville, Martin, Marshall, Matthews, Mooring, McDugald, Norfleet, Pegram, Perry, Perkins, Reid of Duplin, Reid of Rockingham, Sanders of Johnson, Smith, Strange, Stubbs, Tripp, Waugh and Williams of Greene—39.

A bill allowing the Comptroller additional compensation was read the second time and rejected.

A bill to repeal the 18th section of an act passed at the session 1850-'51, entitled an act to provide for the increase of the public revenue, was read the second time and indefinitely postponed.

A resolution in favor of Wm. R. White and Lewis Heflin was read the second time, and laid on the table.

Mr. Mooring, of Martin, presented a memorial from sundry citizens of Martin in favor of William Pool, which was read, and on motion laid on the table.

A resolution increasing the salary of the Treasurer and Clerk, was read the second time and on motion laid on the table.

The following engrossed bills were severally read the second and third times, passed and ordered to be enrolled:

A bill to repeal the 5th section of the act passed by the General Assembly, at its session of 1850-51, entitled an ac.

to amend an act entitled an act to incorporate the Caldwell and Ashe Turnpike company ;

A bill to increase the revenue of the State, in the sale of its bonds ;

A bill to refund to the Treasurer certain money and for other purposes ;

A bill to incorporate the Hillsboro' and Locksville Plank Road company ;

A resolution in favor of abolishing the duties on railroad iron.

The House took a recess.

EVENING SESSION.

The following engrossed bills from the Senate were severally read the second and third times, passed and ordered to be enrolled:

A bill to lay off and establish a public road from Lincolnton, to Greenville, South Carolina ;

A bill to authorize the several Courts of Pleas and Quarter Sessions to pay the Wardens of the Poor ;

A bill to incorporate the Swift Creek Plank Road company ;

A resolution in favor of George W. Scarborough ;

A bill concerning the County Courts of Edgecombe county ;

A bill to incorporate the Manteo Mining Company ;

A bill to regulate the pay of witnesses, in the county of Brunswick ;

A bill to define the duties and powers of Plank Road companies ;

A bill to incorporate the Upper Little River Navigation company, in the county of Cumlerland ;

A bill to encourage Agriculture, Domestic Manufactures and the Mechanic arts.

The following engrossed bills from the Senate, were severally read the first, second and third times, passed and ordered to be enrolled :

A bill to incorporate the Rutherford and Cleveland Plank Road Company ;

A bill to revise and continue in force an act to incorporate the North Carolina Manufacturing, Mining, and Land company, passed at the session of the General Assembly for 1850 ;

A bill to incorporate the New River Canal company, in Onslow county ;

A resolution in relation to the selling of Railroad iron, &c ;

A bill to extend the time of effecting titles to land heretofore entered ;

A resolution in favor of Walsh and Ashley ;

A resolution in favor of James Fisher.

The following engrossed bill and resolution were read the second and third times and passed, and ordered to be enrolled :

A bill to incorporate Perseverance Mining company ;

A resolution in favor of P. F. Pescud.

The following engrossed bills from the Senate were severally read the first time and passed :

A bill to incorporate the town of Troy, in the county of Montgomery, and to appoint Commissioners of the same ;

A bill to incorporate the Jacksonville and Trent River Plank Road company ;

A bill to amend an act passed at the session of 1846-47 entitled an act to make real estate assets ;

A resolution concerning public arms ;

A bill to incorporate Neuse River and Snow Hill Plank Road company ;

A resolution in favor of Benjamin W. Bell, of Macon county.

The following resolutions were severally read the first time and passed :

A resolution in favor of Samuel Martland, of Washington county ;

A resolution in favor of Josep Bowditch, of Edgecombe county ;

A resolution in favor of William Thompson, Williams, Haywood & Co., and of W. H. & R. S. Tucker ;

A resolution in favor of James McKimmon, of Raleigh.

The above resolutions were reported to the House by Mr Wheeler, Chairman of the Committee on Claims.

A message was received from the Senate, transmitting the following engrossed bills from the House, with amendments, and asking the concurrence of the House :

The amendments were severally read and concurred in.

A bill to provide for the holding of an extra term of the Superior Court of Wake ;

A bill to incorporate the Greensboro' and Deep River Plank Road company.

A message was received from the Senate, transmitting a bill to appoint Commissioners to locate the town of Marshall, informing the House that the Senate had disagreed to the amendments proposed by the House.

Whereupon the House receded from its amendment and ordered the bill to be enrolled.

A message was received from the Senate, proposing to fix on 7 o'clock, the 27th instant, for adjournment.

Which was read, and, on motion, laid on the table.

A message was received from the Senate, transmitting a bill to provide for holding the County and Superior Courts, in the fourth Judicial Circuit.

The bill was read the first and second times, and passed, and read the third time.

The following amendment, marked A. was read and adopted :

Amend the first section of the bill, so as to provide, "provided that the County Court of Watauga, shall be held on the third Monday in February, May, August, and November."

Mr. Avery, of Burke, moved the following amendment, marked B.

Strike out the words after the year 1853, in the first line of the second section, and insert the words, " and Superior" after the word county, in the first line of the third section.

The amendment was adopted, and the bill ordered to be transmitted to the Senate, asking the concurrence of that body.

The following engrossed bills were severally read and laid on the table :

A bill to emancipate Lewis Williams ;

A bill to incorporate the town of Winston ;

A bill to repeal the 9th section of the 42d chapter of the Revised Statutes, entitled entries and grants.

The following engrossed bills were read the second time, and indefinitely postponed :

A bill to make indictable certain transfers ;

A bill to extend the right of appeal, prevent the unnecessary accumulation of costs, expedite justice, and for other purposes.

An engrossed bill to authorise Justices of the Peace to resign to the County Court, and for other purposes, was read the second time and rejected.

Mr. Cherry, of Bertie, introduced a bill to repeal an act passed at the session of 1848-'49, entitled an act to amend the 95th chapter of the Revised Statutes; which was read the first and second times, and, on motion, indefinitely postponed.

The following engrossed bills from the Senate were severally read the second and third times and ordered to be enrolled :

A bill to consolidate and amend the several acts heretofore passed for the government of the town of Oxford, in Granville county ;

A bill to declare what persons may intermarry ;

A bill to amend an act concerning the draining of low lands ;

A bill to amend the charter of Davidson College ;

A bill to incorporate the Pedee Manufacturing company ;

A bill supplemental to an act passed at this session of the General Assembly, entitled an act to alter the line between the counties of Buncombe and Henderson.

A bill for the incorporation of the Wilmington Marine Insurance company was taken from the table, read the second and third times, passed, and ordered to be engrossed.

On motion, the House adjourned.

MONDAY, DECEMBER 27, 1852.

The following engrossed bills from the Senate were read the second and third times and ordered to be enrolled :

A bill to incorporate the Salisbury and Trent River plank road company ;

A bill to incorporate the Neuse River and Snow Hill plank road company ;

A bill to incorporate the 'Tarboro' and Enfield plank road company ;

A bill to amend an act passed at the session of 1846-'7, to make real estate assets ;

A bill to incorporate the French Broad Turnpike Company ;

A bill incorporating the town of Troy ;

A bill extending the time of payment of the bonds of the Seaboard and Roanoke Railroad Company ;

A resolution in favor of B. F. Moore and Edw'd. Stanly ;

A resolution concerning the Public Library ;

A resolution in favor of Samuel H. Young and others ;

A resolution in favor of Bynum W. Bell, of Macon county.

The House then took a recess.

AFTERNOON SESSION.

A resolution with regard to the report of Professor Emmons was read the first, second and third times, passed, and ordered to be enrolled.

Mr. Waugh, of Stokes, offered the following resolution ; which was read and adopted :

Resolved, That a message be sent to the Senate, proposing to rescind the joint resolution to adjourn to-day, and that both branches of this General Assembly shall be adjourned, *sine die*, by the Speakers thereof, to-morrow morning, at 6 o'clock precisely.

A resolution in favor of the engrossing clerks was read the first, second and third times, and ordered to be enrolled.

A message was received from the Senate, disagreeing to the proposition of the House to rescind the joint rule to adjourn to-morrow morning, at 6 o'clock.

A bill to bring into market the lands pledged to the Western Turnpike company, was read the second and third times, passed and ordered to be enrolled.

Mr. Saunders, chairman, in behalf of the Committee on the judiciary, reported sundry bills and memorials, and asked that they be laid on the table; and the committee discharged.

Which was disagreed to.

Mr. Spruill, in behalf of Mr. Cherry, of the Committee on Claims, reported back a resolution and bill, and asked that they be laid on the table, and the committee discharged.

Which was agreed to.

Mr. Avery, of Burke, in behalf of the Committee on Internal Improvements, reported back to the House a sundry papers, and asked that they be laid on the table, and the committee discharged.

Which was agreed to.

The House took a recess.

EVENING SESSION.

A message was received from the Senate, transmitting a bill appointing Commissioners to lay off a road from Salisbury.

bury to the the Virginia public road, at the mouth of Wilson, with an amendment, in which the Senate ask the concurrence of the House.

Whereupon the amendment was read and concurred in.

A resolution in favor of William Thompson, Williams, Haywood & Co., and W. H. & R. S. Tucker, was read the second and third times passed, and ordered to be engrossed.

A resolution from the Senate, rescinding the resolution furnishing the two Houses, was read the first time and passed.

Mt. McIntyre, of Richmond, offered the following protest; which was read and ordered to be spread upon the Journals;

The undersigned do hereby protest against the action of the House of Commons, in passing the bill to divide the State of North Carolina into Congressional Districts, for the reason, that a majority of said Districts are laid off, as they conceive, in violation of the only free and safe rule which ought to prevail, to wit: Similarity of pursuits and interest, compactness and convenience of form and equal population.

It is not presumed, that the passage of the bill was necessary to secure equal representation to the Whig and Democratic parties, and the conclusion, therefore, forces itself upon our minds, that the accommodation of particular individuals has been consulted at the expense of the rights of the people.

(Signed)

WM. NORFLEET,
D. C. McINTYRE,
JAS. HOLEMAN,
R. C. CALLOWAY,
WM. LONG,
D. REID.

On motion of Mr. Martin, of Franklin,

Resolved, That a message be sent to the Senate, informing that body that this House having acted on all the business before it, is now ready to adjourn.

A message was received from the Senate, informing the House, that the Senate having dispatched all the public business, is now ready to adjourn

Mr. Saunders of Wake, sent to the Clerk the following resolution; which being read, was *unanimously* adopted:

Resolved, That the thanks of the House are due to the Hon. John Baxter, for the firm, dignified, and impartial manner in which he has discharged the duties of his station as Speaker.

The Speaker having made his acknowledgments in an appropriate manner, declared that this House of the General Assembly is adjourned *sine die*.

JOHN BAXTER,

Speaker of the House of Commons.

STEPHEN D. POOL, Clerk.

XIII

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CHAPTER OF THE HOUSE

II

THE HOUSE OF COMMONS

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